

DE NON TE-
MERANDIS
ECCLESIIS.

A Tracte
OF the Rights and Re-
spect due vnto
Churches.

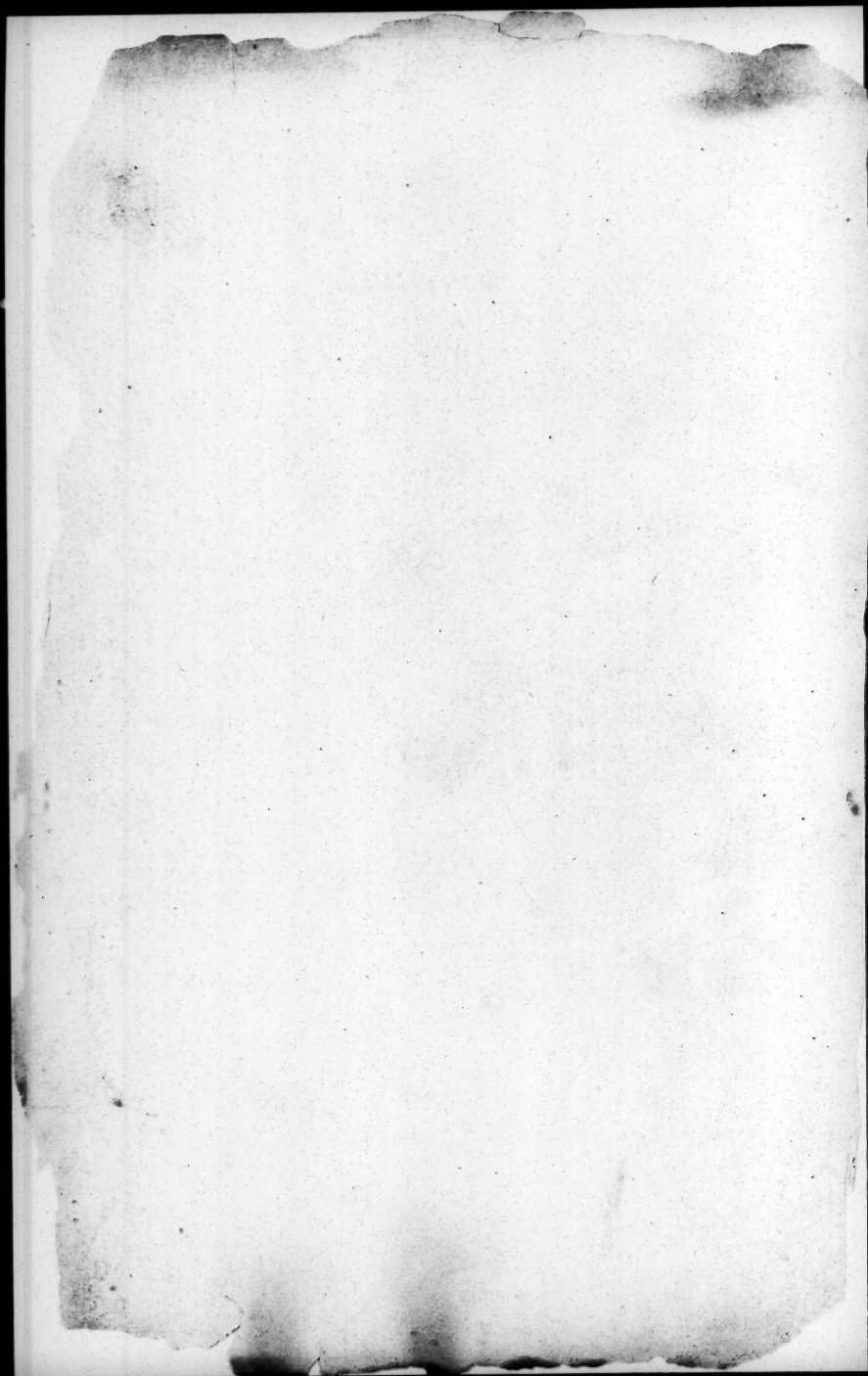
*Written to a Gentleman, who having an Appro-
priat Parsonage, employed the Church to pro-
phane uses: and left the Parishioners un-
certainly provided of Divine Service, in a
Parish nere there adioyning.*

By **S. HENRY SPEEMAN**
Knight.

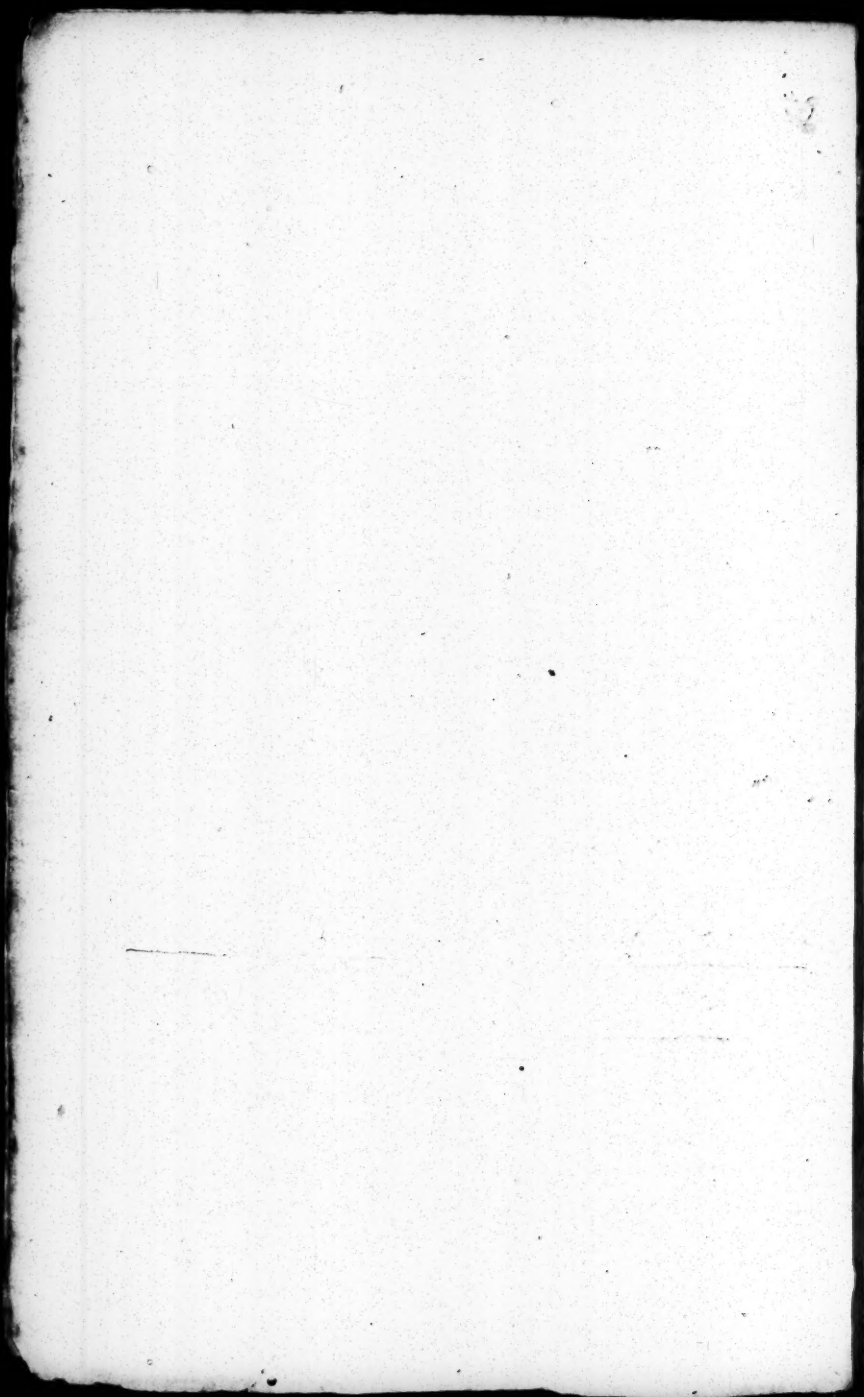


LONDON

Printed by JOHN BEALE. 1613.



See Mr. Spelman's copy with
many manuscript additions
written with her own hand,
and, that never were printed—



in thalamis regina tuis hac nocte carere.
Si forte hoc videri paup. ubi iacet.

Leptu datus cu vrbadam quia falleris min

ha has scripsi inquit tu qui uox affectu
eye broad of doreat is fustle to a man: but up
round his menty flulle filli n' g'outeth. P. 20. 17
eye doreat full n' wasteth not to getteth in fustling P. 21

Dr. H. Spelman's written emendations
& additions are not printed
in any Edition.

DE O

&

ECCLESIAE

Beatus vir qui vixit in omni pietate

Act. 18. 24.

Some were perswaded with
the things that were spoken,
and some beleueed not:

*whom I say as Beon: 2. 24. Beon
I have called & yet some not hear*

Aug: Possidio Epist: 73 to: 2. 70.

*Nonne autem inter eos miseri ut si
obtemporare uolunt preceptis salu
briusculis saltem sacre legia sua non
defendant, ne maiori si scelerum
phicant.*

abidem de Neptuni.

*For Sions sake I will not hold my
tongue Esai ca 62. 1.*



To the Reader.

ALL the vessels of the Kings house, are not gold, or silver, or for vses of *Honour*. Some bee common stuffe, and for meane seruices: yet profitable. Of the first sort, I am sure this *Tract* is not. Whether of the other or no: I leaue that to thy iudgement. To deale plainly: My selfe haue no great opinon of it: as finding mine owne imperfections, and writing it onely vpon a priuate occasion to a priuate friend, without curious obseruation of *matter*, or *methode*.

A 2

But

To the Reader.

But hauing also written a greater *Woꝛke* (much of the same Argument) and entending to publish, or suppress it, as I see cause: I thought it not vnfit (vpon some encouragemēt) to send this forth, (like a *Pinnesse*, or *Paste of Aduise*) to make a discouery of the *Coast*, before I aduenture my greater *Ship*. If I receiue good aduertisement, I shall grow the bolder: Howsoever, take this, I pray thee, as it is: and let my *zeale* to the cause, excuse me in meddling with matters beyond my strength.

H. S.

A Letter, shewing
the occasion of this
Treatise.

To the worshipfull
his most louing Vncle
FR. SA. &c.



Y good Vncle,
the speaches
that past casu-
ally betweene
vs at our last
parting, haue
runne often since in my minde, and
so (perhaps) haue they done in
yours. You complained (as God
would haue it) that you were much
crost, in the building you were in
hand with, vpon a peece of gleabe
of your Appropriate Parsonage
at Congham. I answered, that

A 3 I

I thought, God was not pleased
with it, insomuch as it tended to
the defrauding of the Church:
adding (amongst some other
words) that I held it over-
lie unlawfull to keepe Approp-
riate Prasonages, from the
Church, &c. —

But our talke proceeding: I per-
ceiued, that as God had alwaies
his portion in your heart, so in
this, though it concerned your
profit, you seemed tractable. It
much reioiced mee, and therefore
apprehending the occasion, I will
be bold to adde a continuance to
that happymotion: (so I trust, both
you, and I, shal haue cause to terme
it:) and besides, to giue you some
tribute of the loue and duty I long
haue ought you. Therefore,
(good Vnkle) as your heart hath
happily

happily conceined these blessed
sparkes, so in the name and blessing
of God, cheerish and enflame them.
No doubt they are kindled from
heauen, like the fire of the Altar,
and are sent vnto you from God
himselſe, to be a light to you in
your old daies (when your bo-
dily eies faile you) to guide your
feet into the way of peace, that is,
the way and place from whence
they came. So alwaies I pray for
you, and rest,

Your louing and
faithfull Nephew,

Westmin:

Aug: 17.

1613. HENRY SPELMAN.

Honorare pro remunerare
& elemosinis datur. Sic ap
Paulu Apost. Genova p. d. d.
Presbyteri duplici Genova
digniq. Vide Hæron. Tom.
1. pa. 88. d.



DE NON TE-
MERANDIS
ECCLESIIIS.

*Of the Rights and respect due
vnto the Church.*

INsomuch, as the
rights and duties
that belong to our
Churches are in ef-
fect contained vnder the name
of a Rectory or Parsonage : I
wil first define, what I conceiue
a Rectory or Parsonage to be,
according to the vsuall forme
and manner thereof.

A

A

2 De non temerandis

A Rectory
what it is.

^a Plowd.
cōment. in
quare imp
per Grendo
¶ c.

^b Oblatio
est omne
qd exhibe-
tur in cultu
dei Tb. Aq.

22 q. 85. 3:
3. ¶ c.

¶ Urban
in his epist.
Tō. 1. Cōcil.
And lands
are so ter-
med Ezek.

45, 1.
And tithes
Nū. 18, 24.
So also the
Canonists
and Ciui-
lians ex-
pound the

Cōcil. Augel. cap. 7. Burcha. li. 3. ca. 129. ¶
143. Et Lexi. Iurid. in verb. oblatio. c. Lenit. 27. 28.
^d Touching diuine worshippe and workes of chari-
tic.

A Rectory or Parsonage, is
^a a Spirituall living, composed of
Land, Tithe, and other ^b Obla-
tions of the people, ^c separate or
dedicate to God in any Congre-
gation, for the ^d seruice of his
Church there, & for the main-
tenance of the Gouvernour or Mi-
nister thereof to whose charge
the same is committed.

By this definition it appea-
reth, that the ordinary living
or reuennue of a Parsonage, is
of three sorts: The one in
Land, commonly called the
Glebe: another in Tithe, which
is a set and regular part of our
goods rendred to God: the
third, in other offrings and ob-
lation

lation

lations bestowed vpon God and his Church, by the people, either in such arbitable proportion as their owne deuotion moueth them : or as the lawes or customes of particular places doe require them.

2 Though I inuert order a little, I will first speak of Tithes because it is Gods ancient demaine, and the nobler part of this his inheritance, founded primarily, vpon the law of Nature, (as the other be also after their manner.) For the *Law of Nature* teacheth vs that God is to be honoured : and that the honour due vnto him, cannot be performed without *Ministers*, nor the *Ministers* attende their function without main-

Tithes how due.

*Scrima Dei
sumi dominica.
Concil. generale
Westm. tradunt
An. dn. 1126.*

R 2

tenance

4 De non temerandis

tenance. And therefore seeing
 God is the Supreme Lord and
 Gen. 14. 19. possessor of all, and giueth all
 things vnto vs that wee are
 maintained with, it is our duty,
 both in point of *Iustice* and
Gratuity, to render something
 backe againe vnto him ; as ac-
 knowledging this his suprema-
 cie and bounty ; as honouring
 him for his goodnesse ; as a testi-
 mony of the worship, loue and
 seruice we owe him ; and last-
 ly, as a meanes whereby these
 duties and seruices may be per-
 formed to him. [This, I say, the
 very *Law of nature* teacheth vs
 to do: and this the *Law of God*
 requireth also at our hands:
 but what the set portion of
 our goods should bee, that thus
 we ought to render backe vnto

All id dno pnto pms p m lora dno of God
 no qm dno pms primitias et decimas, i.
 parte primam & ultimam by w l no signifi-
 praestantia et plenitudinem reru omniu
 que possidemus. for prima pars id qua
 praestantia & virtus, decima complement
 in illa enim incipit numeratio, in hac finit

Ecclesijs

3

at one time
or other
8 in one place
or other

God, I cannot say the law
of ^a Nature hath determined
that. But the wisdom of all
the Nations of the World, the
practice of all Ages, the exam-
ple of the Patriarches ^b Abra-
ham and ^c Iacob, the ^d appro-
bation, and commandement
of Almighty God himselfe,
and the constant ^e resolution of
his Church vniuersally, hath
taught and prescribed vs to
render vnto him the Tenth
part: and that this Tenth part or
Tithe, being thus assigned vnto
him, leaueth now to be of the
nature of the other nine parts
(which are giuen vs for our
worldly necessities,) and be-
commeth as a thing dedicate
and appropriate vnto God. For
it is said, *Leu. 27. 30.* All the

Yet there
bee diuers
naturall
reasons
that com-
mend this
number
(for this
purpose)
about o.
ther.

^b Ge. 14, 20
^c Ge. 28, 22
^d Leuit. 27
30 & 32.
^e Deut. 12. 6,
& 11.
Mal 3, 10.
^f Declared
by the Fa-
thers and
Counsellors.

Significancie
of the
tithe
is
expressed
in
the
scriptures
and
in
the
reasons
above
said.

denomin
numera
conuersitas
significatur
numeri em
sequentes vsq
ad 100 sunt ip
suis & patm em
rephatones
Ludulp. ps. 2
ca 19. col 3
infirmitas
vniuersa
vnde dicit
poetico et
qui mandub
abundantia
de plenitu-
dine id est satis
doli dandi abun-
dantia et plenitu-
dinem hoc dicit
significancie et dicit
et hys pte intelligitur

B 3

tithe

6 De non temerandis

tythe of the land, both of the seede
of the ground, and of the fruit of
the trees, is the Lords : yea, more
then so, It is holy vnto the Lord.
And againe (verse 32.) Euery
Tithe of Bullocke, and Sheepe, and
of all that goeth vnder the rodde,
the Tenth (shall bee holy vnto the
Lord. Hee saith, Holy vnto the
Lord, not that they were like
the sanctified things of the Tem-
ple, (which none might touch
but the Anointed Priests,) but
Holy and separate from the vse
and iniury of secular persons,
and to be disposed onely, to,
and for the peculiar seruice and
peculiar Seruants of God. And
therefore in the 28. verse, it is
said, to be separate from the com-
mon vse, because it is separate &
set apart vnto the Lord.

But

3 But some happily will say *Tithes origi-
nally not
Leuiticall.* that this vse of *Tithing* rises out
of the *Leuiticall* law, and so
ended with it.

I answer that it was recei-
ued & practised by *Abraham*, &
* *Iacob* diuers hundred yeeres
before it came to the *Leuites*.
For it is said that *Abraham* gaue
tithe to *Melchisedeck* Gen. 14. 20
And that *Leuy* himselfe paid
tithe also in the loines of *Abra-
ham*, Heb. 7. 9. *Melchisedeck*
was the image of *Christ*, and his
Church: *Abraham*, of the Con-
gregation of the faithfull.
Therefore though *Leuy* recei-
ued tithes afterward, by a perti-
cular graunt from God, for the
time: yet now he paid them
generally with the congregati-
on, in the loines of *Abraham*,

* *Jacob*
voweth to
giue tithes
Gen. 28. 22
And *Iosep.*
sheweth
he perfor-
meth his
vow. *Anti-
quit. lib. 1.
cap. 37.*

8 De non temerandis

vnto the Priesthood of Christ,
here personated by Melchise-
deck: which being perpetuall, &
an image of this of the Gospell,
may wel note vnto vs, that this
duty of *tithe*, ought also to bee
perpetual. And therefore ^b Chryso-
stome saith: that Abraham herein
was OVR tutor: not the tutor of
the Iewes. And inso much as A-
brahā paid it not to a Priest that
offred a Leuitical sacrifice of Bul-
locks & Goates: but to him that
gave the Elements of the Sacra-
ment of the Gospell, ^c bread and
wine: it may also well intimate
vnto vs, to what kind of Priest
we are to pay our *tithe*: namely
to him that ministrerth vnto vs
the Sacrament of bread & wine,
which are only those of the Gos-
pell, & not the Leuitical Priests. So

But note that *tithe* was not given to the
Priest, but to *5* Levites. It is now, by de-
votion, out of love for *God* & his againe to *God*
so *5* Priest were intended by *5* Levites, *5* *Levites*
them not only because *5* Levites in *5* *Levites*
but for *5* Levites. See *Leviticus* 25th *Levites*
1. *Levites*. Tom 4. pa. 83 +.

that our *tithe* paid in this kind, cannot be said *Leuitical*: as also for that the *Leuitical tithes*, were onely of things ^d renewing and ^d *Leuit. 37:* encreasing: whereas *Abraham* ^{30 & 32.} and *Jacob* paid them of *all*: as if they had followed the commandement of the *Apostle*: Let him that is taught in the word, make him that hath taught him partaker of ^e *ALL. Gall. 6, 6.*

God also requireth this duty of *tithe* by his owne mouth, as of old belonging vnto him, before the *Leuites* were called to the service of the *Tabernacle*: and before they were named in Scripture. For they are not named till *Exod. 38. 21.* And it is said in *Exod. 22. 29.* *Thine abundance of thy liquor shalt thou not keepe backe*: meaning *tithes* and

and of all y^e that
shalt give me ^{Leuit. 37:}
Jacob Gen. 28 32
will I give y^e X^{ra}
to thee.

^e *ci rom*
ayadois.

typice sumendum fuerit: notat faccedot. p
abundantia dandū esse. vt quia plenitudinis
usq. ad plenitudinem

La decem qui
est numerus
abundantiae, quia
maxim. ideo si

10 *De non temerandis*

and first fruits, and therefore Jerome doubteth not so to translate it, *Thy tythes and first fruits shalt thou not keepe backe.* And in this manner of speach, the word *keepe backe*, sheweth that it was a thing formerly due vnto God; for wee cannot say that any thing is *kept backe*, or *withhelden* that was not due before. Therefore we finde no *originall* commandement of giuing *tithe* vnto God: but vpon the first mentioning of them in *Leuiticus*, they are positiuely declared, to be *His*, as a part of *His* crowne, and auncient *de-main*; for it is there said, *Cap. 27. 30. All the tithe of the Land is the Lords.* And *Moses* commandeth not the people a new thing: but declareth the *Right* that

v. Hugon. Card. in *Esdr. lib. 2 ca 10 col*
De 4^{ta} decimarum *genuer* pa. 347.

that of old belonged to God:
namely, that *All the tithes of the
Land was his.*

Other phrases of Scripture
doe confirme this; for after-
ward when *tithes* came to be as-
signed to the *Leuites*: God doth
not say, *the children of Israel
shall giue their tithes to the Leuits*:
but he saith, *Behold, I haue giuen* Numb. 18.
them to the Leuites. And conti- 21. 24
nuing this his claime vnto 26.
them, against those that many
hundred yeeres after dissei-
sed him of them: he complai-
neth, *Malachy 3. 8. That
they that withheld their tithes
from the Leuites spoiled him him-
selfe.*

But hauing handled this
argument more largely in
a greater worke: I will heere
close

12 De non temerandis

close it vp with opposing a
 gainst these kind of Aduersa-
 ries, not onely the reuerend
 authority of those ancient and
 most honourable pillars of the
 Church, SS. ^a Ambrose, ^b Augu-
 stine, ^c Hierome and ^d Chrysostome,
 (who though they runne vio-
 lently with Saint Paul against
 such ceremonies as they con-
 ceived to bee *Leuiticall*; yet
 when they come to speake of
Tithes, admit, maintaine and
 commande the vse thereof.)
 But also the resolution of many
 ancient ^e Counsels, and a mul-
 titude of other ^f Fathers and Do-
 ctors of the Church in their se-
 uerall ages: all of them concur-
 ring

^a Ambros. in Serm. ^b August. in Serm. de temp. 129. ^c alias. ^d Hieron. in Ma' a. 3. ^e Chrys. in Epist. ad Hebr. Hom. 12. et Hom. 39. in Gen. ^f Roman. Concil. 4. Aurelian. 1. Tarracon. sub Horm. Mediomatris, Tol'etanum Agrippin. cap. 6. Hispalens. Montif. concns. 2. Valentinian. sub Leone 4. Rothemar. cap. 3. Caualon: cap. 18. Maguntin. cap. 10. Origen, Tertullian, Cyprian, Gregory, &c.

ring

ring in opinion, that *tithes* be-
long iustly vnto God; that they
are to be paid. And therefore
many of them cōmand al men,
even vpon perill of their soules
not to withhold them: which
Argument Saint *Augustin* him-
selfe most eloquently handleth
and effectually proueth in a per-
ticular Sermon of his to this
purpose. And in the whole
circle of my reading, I did ne-
uer yet meet with many that
impugned thē. *Leutardus*, who
liued about 1000. yeeres after
Christ, taught the paiment
of them to be superfluous and
idle, and then growing despe-
rate, drowned himselfe, as it
were to giue vs a badge of his
doctrine. *Glaber. Histor. lib. 2.*
cap. 11. An Authore of 5 time
4 Touching

* See this
Sermon in
the end of
this booke.

14 De non temerandis

Of Oblations & Offerings.

^a Urban. epist circiter An.

Christi 227

^b Constantine & Valentinian

made laws that rich

men which were able

to support the charges of the

common wealth:

should not be admitted

into religious houses, be-

cause their possessions

and goods were thereby

amortized.

^c 2. Chron.

31.11

4 Touching oblations & offerings. The Fathers vnder this name accounted all things, that were giuen or dedicated to the seruice of God. And in the first ages of Christian religion (after the great Persecutions) the Church by this meanes began so to abound in riches, that the good Emperours themselves were constrained, to make lawes (not vnlike our statutes of Mortmaine) to restraine the excesse thereof: for feare of impouerishing their temporall estate. In those daies, many Churches had Treasuries for keeping these oblations (as the Storehouses at Hierusalem appointed by ^c Hezekias, for the Temple) but the succeeding ages, contracted them into chests,

Chests, and in these latter times,
 the *Parsons* poket may well e-
 nough containe them. I shall
 not neede, therefore, to spend
 many words in a small matter:
 for all the *oblations* now in vse,
 are in effect the *twopeny* Easter
 offerings and a few other such
 like: which because the owners
 of *Appropriate Parsonages* shall
 not ignorantly conuert vnto
 their owne benefite: I will
 shew them why they were paid
 and why they haue them.

Saint *Paul* ordained in the
 Churches of *Galatia* & *Corinth*,
 that euery one vpon the Lords
 day should yeeld somewhat to
 God for the *Saints*, 1. Cor. 16.

2. But this (being once a weeke)
 came too thicke & too often a-
 bout. Therefore in *Tertullians*

Tertullian
 in *Apolog-*
ico.

time

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time the vse was to doe
monthly, & (at last) at pleasure
But it was euer the ancient vse
of the Primitiue Church. (a

* Iustinius
in Apologia

2.
Hist. Eccles.

appeareth by * Iustin and Cyprian) that all that came to the ho

ly Communion, did according to
their abilities, offer something
of their substance to God; for
charitable vses and mainte

* Sermon
I. de Eleem
osynis.

nance of the Ministers. There
fore * Cyprian sharply taxeth
a rich Matron, that receiued the
Communion, and offered no

* He cal
leth the
treasury
Corban, of
that at the
Temple
of Hiera
salem.

thing. *Locuples & dines, & dominicum celebrare te credis, quod*
** Corban omnino non respicis, & quid*
what? (saith he) art thou able
and rich? and dost thou think
that thou celebratest the Lords
Supper, which bringest nothing
to the Treasury? So Irenaeus

(saith)

(saith) ^h That it was the use of ^h Noui Te-
 the Church through the world in ^{stamenti}
 his time : and receiued from the ^{nouam do-}
 Apostles, to offer something of the ^{cuit (filz.}
 blessings that they liued by, as the ^{Ch ristu) ob-}
 first fruits thereof : to him that ^{lationem :}
 gaue these things vnto them. ^{quam Ec-}
 Which ^{clesia ab}

Which ^{Apostolis} Zanehim vnderstan- ^{accipiens}
 deth to be meant of offerings ^{in vniuerso}
 at the Communion : giuen to ^{mundo of-}
 holy uses & for reliefe of the poore ^{fert deo : ei}
 of the Church : commending it ^{qui alimen-}
 for an excellent custome, and ^{ta nobis}
 complaining that it is now dis- ^{præstat, pri-}
 continued. But to this end, and ^{missas suo-}
 in imitation hereof, are our Ea- ^{rum mune-}
 ster and Communion offerings ^{rum in no-}
 (as also those, at, and for, Christ- ^{uo testamē-}
 nings, Burials, &c. which I will ^{to.}

not now speake further of) at ^{i Vide Zā-}
 this day made, and therefore ^{chium lib. i}
 let Proprietaries consider with ^{de cul'u}
 what ^{Dei exacer-}
 no.

in vniuerso

^C Memnon Episcopus in Ephesina Synodo. fulmen
 tota orbis, se suo periculo cum omni fortitudine Enloph-
 ituris potuit suaro, ab Orientalibus depolimus
 ut cu Cyeno. Cyed Apologitid in Epist. Johis Comin-
 accensis fol. 166 B.

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what conscience they can swallow and digest them.

Of Glebe
Land, and
houles be-
longing to
Parsona-
ges.

5 Touching the *land, glebe, and houses*, belonging to Parsonages (which I would haue called *Gods fixt inheritance*, but that I see it is *moueable*;) I cannot say that they are Gods *ancient demaines*, in the same forme that tithes are, and as our Clergy enioieth them: but the warrant and ground thereof, riseth out of the word of God, who not onely gaue vs a president thereof, when hee appointed Cities for the *Leuits* to dwell in, with a conuenient circuit of fields for the maintenance of their cattel, *Numb. 35. 2. &c.* but commanded also the children of *Israel* (and in them all the nations of the world

world :) that in diuision of their Land, they should offer an oblation to the Lord, an holy portion of the Land, for the Priests to dwell on, and to build the house of God vpon: *Ezeck. 45. 1. & 4.* So that the houses and Lands that our ancestors haue dedicated to God in this manner, for the Churches and Ministers of this time: are now also his *right* and *iust inheritance*, as well as those, which the *Israelites* assigned for the *house of God*, and *Leuites* of that time : and commeth vpon the same reason and in lieu thereof. But because it is vncertaine when and how they were brought into the *Church*, I will say something touching that point.

How lands
came to
the Churches.

In the time of the Apostles the use was (as appeareth *Acts* 2.45. & *Act*.4.34. & 35.) to sell their lands and bring the money onely, to the Apostles. For the Church being then in persecution, and the Apostles not to remaine in any perticular place but to wander all ouer the world, for preaching the Gospel: they could not possesse immouable inheritances: and therefore receiued onely the money they were sold for, distributing it as occasion serued. But after whē the Church obtained a little rest, and began to be settled: it ^a found much casualty in pecuniarie contributions, and chused therefore

^a It appeareth by the Epistles of *Pi-us* and *Vincentian* who lived about the yeere of Christ, 230 that the Church of *Rome* had then begun to retaine lands in this manner vpon

this reason, and it may well be, for that *Origen* & *Eusebius* shew that Churches had then possessions.

rather

rather to retaine the lands themselves, giuen for maintenance of Gods Priestes and Ministers: then (by suffering the same to be sold) to furnish the time present with abundance, and leaue the future time to hazard and vncertainty. Heereupon the Fathers in the ^b Primitiue Church, as well before *Constantine* (as appeareth by his owne Edicts, and by ^c *Origen*, ^d *Eusebius*, and the Epistles of ^e *Pius*, and ^f *Vrban*) as after: began to accept and retaine the lands, thus giuen, and to leaue them ouer to their successors, for a perpetuall Dowrie of the Church. And this vpon expectation of *Samosatenus* in the time of *Aurelianus* the Emperour (about 30. yeeres before *Constantine*) wrongfully ouerquaded. *Lib 7. cap. 24.* ^e & ^f Reade the note(*) next afore, and see *Burchard lib. 3 ca. 3* *Videntes a*
ccordates. ^g C *per vrbani* rience

^b *Edicta Constantini & Lucij Imp. Euf. lib. 10. ca. 3*

^c *Origen* speaketh of rents of the Church *Hom. 31. in Mattheum.*

^d *Eusebius* of an house belonging to the Church of *Antioche* that *Pau-*

the Empe-
 wrongfully
 quaded. *Lib 7. cap. 24.* ^e & ^f Reade the note(*)

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rience was found to be so godly and worthy a course, that it not onely receiued the applause of all succeeding ages : But commendeth for euer vnto vs their temperance, in desiring no more then for present necessitie, their zeale in prouiding for posterity, and their great wisdom (or rather, Propheticall spirit) which foresawe so long before hand, that, deuotion though it were at one time hot and feruent, yet, at an other it might bee cold enough : and therefore when time serued, they would by this meanes

and her Ministers provide that the Church for euer, should haue of her owne, *in all : leaste depnding vpon them to maintaine her selfe withall.* Vpon this ensued many godly good Masters for ex- prouisions for endowment of hibition and beneuolence, they should be drawne to Churches, to rick at syne, to vse flattery, and to yeald themselves to base subiection.

Churches, and for annexing ^{ⁱ Synod. Ro-} their livings so vnto them, as ^{man. sub} neither the variety of time, nor ^{Synacho.} the impiety of man (if it were ^{103. Epif-} possible) should euer haue de- ^{coporum} uorced them; as appeareth by ^{circiter} a multitude of ancient Coun- ^{An. Ch. 11.} cels, Canons, Statutes, and de- ^{503. 1078} crees of the ^{contra in-} Church, ^{nafores Ec-} Empe- ^{clesiam.} rours, and ^{Concil. Au-} Princes, to that pur- ^{reliaens. 4.} pose. Therefore whilest the ^{An. 543. 0} world burned so with that sa- ^{6. 19. & 34} cred fire of deuorion, towards ^{Conc. Mel-} the aduancement of the glory ^{dens. ca. 5.} of God: that euery man desi- ^{Burch. li. 11} red to sanctifie his hand, in the ^{cap. 16.} building of Churches, lest such ^{Concil. Ga-} holy monuments for want of ^{grens. cap. 3} ^{Bur. lib. 11.} ^{cap. 20.} ^{Concil. Mo-} ^{gunt. ca. 3.} ^{6. 7. & plu-} ^{rima alia.} ^{ⁱ See the two edicts of Constantine and Li-} ^{cinius Empp. Euseb. lib. 10. ca. 5. And the Lawes of} ^{Constant. Theodos. Iustin. Carol. Mag. & many other. 1 To} ^{passe ouer for aine Princes, our owne in former times} ^{haue almost successiue confirmed them.}

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due main^tenance, should (in
processe of time) become, ei-
ther contemptible, or vnpro-
fitable. It was at length ordai-
ned, in ^k Aurelianens. Concil.

4. (An. 545. cap. 33. And ⁱ Con-
cil. Valentin. (An. 855) cap. 9.

That, w^hosoever builded a
Church, should assigne vnto it, a
* Plough land, furnished for the
maintenance of the Parson
thereof. By vertue of these

Councils (as I take it) were the
Founders of Churches in France
first compelled, to assure Li-
uings to those Churches. And
it was also provided by the
third Council of ^m Tolledo in

cap. 23. in Concil. Tom. 2, ubi nota quod diocesis
accipitur pro libertate condendi oratoria vel Ecclesias,
itaque in argumento huius capituli oratorium exponitur.
ⁱ Tom. Concil. 1. ^z Colonia vestitam. ^m Concil. To-
let. 3. cap. 15. See Bingham: pa 521.

Spaine

Sanctum est ut vnicuique ecclesie vnus
mansus integre abq^{ue} vltio sexuitio attrib-
ep: Womarcian: ca: 18 Burch: 1: 3 ca 52

8 Concil: ^k si qui in
Womarcia agro suo,
ca: 18 Burch, aut habet,
lib: 3 ca 52 aut possidet
Longob. 1. 3. habere dic-
Tst. 1. ca. n. cesim, p. i.
46. mans. mum &
in ⁱ q^{ue} Bu= terras ei
maurj6. de paret
sufficenter,
& clericos: qui ibidem
sua officia
impleant.
ut sacra-
tis vene-
rentia con-
digna tri-
buatur. Au-
relian: Con-
cil. cap. 23. in Concil. Tom. 2, ubi nota quod diocesis
accipitur pro libertate condendi oratoria vel Ecclesias,
itaque in argumento huius capituli oratorium exponitur.
ⁱ Tom. Concil. 1. ^z Colonia vestitam. ^m Concil. To-
let. 3. cap. 15. See Bingham: pa 521.

Spaine, that no Bishop might consecrate any Church, till sufficient maintenance (which Chrysostome calleth the Dowry of the Bride) were assigned to it.

Chrysost.
hom. 18. in
Acta.

But because these were forreine, and Prouinciall Councils, not Generall: they bound not our Countrey, otherwise then by doctrine and example. Therefore it was heere decreed afterward, to the same effect in

1st. Crag.
19. p. 1.
in Grafting
Ducet. q.

a Synod at London vnder Anselme Archbishop of Canterbury, Anno Domini, 1105. H. 1. 1.

Synod.
London ca.
16. Antiq.
Britan. ca.

And though the Lawes of our Church began then first (as far as I yet can finde) to constraine our Countrey men to giue Endowments to the Churches that they builded; yet wee were taught

34.

... of Ethelbert, & of Mercia
 ... 26 Depon remerandis

Did it come from
 and Ethelwulf of
 but for was dead 2 y
 before 855
 Antiqu. Brit. p. 100
 126

Ethelbert
 in Mat. p. 10
 Ethelbert
 p. 103 &
 alias A.
 dulphus. in

1. Flamp. Int.
 Bankshire
 Wiltshire
 Dorset
 Somerset

* S. Bernard
 Mal. hyda
 p. 37. 55.

Ceadwalla
 vacta m. p. 12
 Duo. Beda. l. 4 ca 16

taught before (by the Custome
 and Example of our precedent
 Auncestors, as well, as by
 our dutie, out of the word of
 God) to doe the same: as ap-
 peareth by many Presidents,
 wherof I will only alledge one,
 (but aboute others, that most
 famous) of * Ethelwulfus, king
 of West-Saxony, who (in the
 yeere of our Lord 855.) as p. 10
 gulphus Saxo, and Simeon Du-
 melmens: report, by the aduile
 and agreement of all his Bishops
 and Nobility: Gaue, not onely
 the tithe of the goods, but the
 tenth part of the Land through
 his Kingdome for euer, to God
 and the Churches, free from all
 secular seruices, taxarions, and
 impositions whatsoever. In
 which kind of religious magni-

but shewed vsome no greater dutie
 then he done name ran magnific
 himselfe in reforming no more than
 by the but enstined by the example
 of God and his ofnes and gave not only
 but also that was to some. And
 by the full of these heauily vnto
 blessed him from his outst
 life and m. l. shall be to the

ficence, as our succeeding Kings
 haue also abounded : so haue
 they from^t time to time, as wel^t
 by Parliament Lawes, as by
 their Royall *Charters*, confir-
 med these and other the rights
 of the *Church* : with many so-
 lemne^t vowes, and imprecati-
 ons against *all* that should ever
 attempt to violate the same.
 Therefore if these things had
 not beene primarily due vnto
 God by the rule of his word,
 yet are they now *His*, and *sepe-*
rate from vs, by the voluntarie
 gift and dedication of our anci-
 ent Kings and Predecessors : as
 was the ^utribute of a third part
 of a shekell, which *Nehemiah*
 and the Iewes, out of their free^{32.}
 bounty, couenanted yeerely to
 giue vnto God for the service of
 his

^t As ap-
 peareth in
 their seue-
 ral Lawes,
 and name-
 ly 15 times
 in *Edw*: 3.
 1aiguo.

^t See the
 Stat: of 25.
Edw: 1. in
Rastals A-
b idgemēt
tit. Confir-
mation 3.

And Sen-
 tentia lata
 super Char-
 tas.

And Pu-
 pillarula
 par. 5. c. 22.
^u *Neb*. 10.

So *Ezechias*
 couenanted
 2 *Chro*: 29. 10.

bonum ante no potest res que p psona non
 sicut res sacra vel religiosus. Beac. f. 9 b. r. l. 2.
 Ergo p. 28 De non temerandis
 p. 1. 6. in Aban. ca.
 2. A. 1. 1. 4. house. For, as Saint Peter & saith

to Ananias: Whilest these things
 remained, they appertained unto
 vs, and were in our owne power:
 but now, when wee haue not
 onely vowed them, but deliue-
 red them ouer into the hands
 and possession of Almighty
 God (and that, not for super-
 stitious and idle Orders, but
 meere for the maintenance
 of his publike diuine worship,
 and the Ministers thereof) they
 are not now arbitrabl, nor to
 be reuoked by vs, to the detri-
 ment of the Church. for as S. A. say

In nostra p. 28
 est p. mittens se-
 nitu deo non
 ante desistens
 Aug: to: 10 306
 m. It is in our
 power to p. 28
 o. p. 28 to God
 But not to p. 28
 u. And p. 28
 m. p. 28 con-
 cluding, defining
 That Churches
 church and their
 goods are dedica-
 ted to God.
 able and y it is
 not allowable
 to sell or alienate them from the church

6 Churches
 church and their
 goods are dedica-
 ted to God.
 able and y it is
 not allowable
 to sell or alienate them from the church
 producing y Causes of Solomo 2rou: 20 25 It is
 destructio es enquir. 2 Mal: 3 8. Affirming
 goods to be the possessio of y lord. And adding
 further that Whatsoever is vnprofitable to y ch
 or Comon w. l. h. must not be sold. Tit. y Order
 the Causes of saluation & Damnation ca 28.
 y 8 Compend. fol 83. Ezechias & Nehemiah
 p. 28

6 Churches being erected
 and endowed: they and their
 livings, were (as I say) dedica-
 ted vnto God. First, by the
 solemne vowe and oblation of
 the Founders: then by the so-
 lemn
 producing y Causes of Solomo 2rou: 20 25 It is
 destructio es enquir. 2 Mal: 3 8. Affirming
 goods to be the possessio of y lord. And adding
 further that Whatsoever is vnprofitable to y ch
 or Comon w. l. h. must not be sold. Tit. y Order
 the Causes of saluation & Damnation ca 28.
 y 8 Compend. fol 83. Ezechias & Nehemiah
 p. 28

iemne acte of the Bishop, who
to *seperate* these things from se-
cular and prophane imploi-
ments, not onely ratified the
vowe and oblation of the Pa-
tron or founders: but *consec-*
rated also the Church it selfe:
vsing therein great deuotion,
many blessings, praiers, works
of charity, and some Ceremo-
ny, for sanctifying the same to
diuine vses. Therfore also, haue
the ancient * Councils added
many fearefull *curses* against all
such as should either violate it,
or the rights thereof.

* See the
6 Synod.
Rom. of
103. Bi-
shops (a-
boue 1000
yeeres
since)
wholly a-
gainst vio-

laters of
Churches
& Church
rights.

And see
many o-
ther to
this pur-
pose. Eur-
char li. II.

* Demost.

Problem.
tit. Templi
Sect. 3.

Some p^ricipall as ag^t
this, but see Jun^r
vpp^r 119 p^r.

to the v^rg^r
wh^r p^rel^r h^r
of Nicep: li.
8 ca: 50

This *consecration*, Master
* Perkins calleth a Dedication,
but confesseth it to haue beene
in vse in this manner, about the
yeere of Christ 300. (which is
within the time of the Primi-

of me already that time

*of t^ransl^r of p^rop^rall^r h^ron^r vpp^r on^r p^ro^rph^r
to be p^rel^r: Be her^rust^r so is vsy, quay, God dur^r
and may againe y^rme byr^rour to p^rel^r h^r
p^rel^r h^rant. but who among v^r p^rel^r h^rant*

tiue Church) onely he admit-
teth not, that it was then per-
formed with *Ceremony* and the
signe of the *Crosse*; which here
I will not stand vpon, nor to
shewe the greater antiquity
therof, (though I thinke it may

*In epist. ad
Constant.
Imp.*

well be proued.) For *Athana-*
sius being in those daies accused
by the *Arians*, of ministring
the Communion in a Church

Histor. sue

not consecrated, excused him-

*Niceph. ant.
hoc fuisse a
30 Confessio
ni*

lib. 1. ca. 30

et Sozom.

lib. 3. ca. 25

Niceph. li.

8. ca. 50

Hist. Tri-

part. lib. 3.

fol. 331.

** Hierusa-*

lem.

** ad inscripti-*

o. Confe-

crate.

selfe to haue done it vpon ne-

cessity. And *Theodoret* repor-

teth, that *Constantine* (then like-

wise) commanded, all those that

were at the *Council of Tyrus*,

should come to ** Elia*: and that

others should be assembled from all

parts, for ** Consecratio* of the *Chur-*

ches, builded by him. Which

sheweth it to bee so notorious

and

and generall an vse at that time,
 and to haue such vniuerſall ap-
 probation; as it could not, but
 haue a root also from elder a-
 ges, though there cannot bee
 many presidents found there-
 of, for that the Christians be-
 ing then in persecution, might
 hardly build, or dedicate any
 Churches, but were constrain-
 ed to vse priuate houses, and
 solitary places for their assem-
 blies. Yer, euen those houses,
 had (as it seemeth) some conse-
 cration, for they were common-
 ly called, * *edes sacre*, Holy hou-
 ses, and haue left that name, (to
 this day) amongst vs, for our
 Churches, as a testimonie of
 their sanctification, whereof I
 shall speake more anonne. * *Euseb. in*
or. de laudib. Constant.
 * *Ibidem.*
 that inſomuch

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as the Holy houses and Temples of that time, were thus Dedicated and Consecrated vnto God, the vniuersal Lord of all: therefore they receiued his name, and were called in Greeke ^{weard.} (in Latin, Dominica:) the Lords houses. which name, saith hee, was not imposed vpon them, by man: but

Caius Casar Valer. by himselfe onely that is Lord of al.
ius Max suo dyo Of this word ^{weard.}, commeth
natus conceit h= the Saxon word Cyric or Kyrk:
centum exstendit and (by adding a double as-
Rupian Nicap: li piration to it) our vsuall word
7 ca: 28. vbi nota Chyrch or Church, as it were to
rudibilibz of vnting put vs euer in minde, whose
of aude of German these Houses are: namely, the
nos onloslas kyr Lords houses: like that, which
chen appellare. Iacob Dedicated vnto God,
Gen. 28. 22 called (Bethel:) that is, the
house of God.

But both Church & Church-
liuings

things were thus solemnly deli-
uered into Gods possession;
and therefore all ages, Councels
and Fathers (that euer I yet
haue met with) account them
holy and inuiolable things.

And therefore they are ter-
med; *Patrimonium Christi*, Dos

Ecclesia, Dos *sponsa Christi*, and
Sacrata possessio, or *Pradium*
sanctum. For, Every thing that a
man doth seperate vnto the Lord

from the common use, whether it
be man, or beast, or LAND OF
HIS INHERITANCE, it is Ho-
lie to the Lord. *Leuit. 27. 28.*

And in what sort I vnderstand
the word *Holy*, I haue before
declared.

7 Asthen the Law of Na-
ture, primarily taught all Nati-
ons in the world to giue these
things

holy rights
& temples
how re-
spected by
heathens.

Res dei. 4 hys
tom. 18. in Con. Paris. a
in Act. 565 ca. 1. to: 2638
Concil. Mo. & Syn. Tirroni
guni. ca. 7. ca. 2. ca. 26
to: 2660.

oblationes Greg. bea
stipendin. Beda h
ca: 27 Interroga: 2.

things vnto God : so the very
 same Lawe, also taught them
 that it was sacriledge and
 impiety to pull them backe a-
 gaine : yea, the very heathen,
 counted the things thus *seacred*
 vnto their Gods : to be *Sancta*
 & *inuiolanda*. And Saint *Au-*
gustin expoundeth, *Sanctum il-*
lud esse, quod violare nefas est. It
 is execrable wickednesse, to vi-
 olate that that is holy. *Phara*

Gen. 47. 21.

~~Pharaoh~~
 would not abridge the Priests
 of their diet, or lande: no, nor
 in the great famine. The very
 Barbarous Nations of the
 world, euen by the instinct of
 nature, abhorred this impiety.

Bibl. 1011.

Histor. lib.

5. fol. 305.

Diodorus Siculus noteth of the
Gauls ; that though they were
 a people aboue all others, most

couc-

couetous of gold: yet having
 aboundance thereof, scattered
 in all parts of their Temples
 to the honour of their Gods:
 none was found so wicked a-
 mongst them, as to meddle
 with any of it. I could alledge
 a multitude of Heathen stories
 to this purpose. But I will
 not weaue the wollen yeaue
 of the *Gentiles*, into the fine lin-
 nen garments of the *Christians*;
 I meane, I will not mingle pro-
 fane arguments, in a discourse
 of Christian piety. For the
 sheepe that are of the fold of
 of Christ, are tyed onely to
heare his voice, and to follow *Ioh. 10. 3.*
 that, which if they doe not,
 they are thereby knowne to be
Goats and not of his folde.

8 The cause why I touched *How fear-*

D 2 vpon

ful a thing
it is to vio-
late the
Church.

upon this one heathen exam-
ple, it is to aggravate the mani-
fold finnes of vs Christians, in
this point. For if they that
knew not God, were so zelous
of the glory of their Idols: how
much more is it to our con-
demnation, if wee that know
him, doe lesse regard him? If he
goe hard with *Tyrus* and *Sidon*
in the day of iudgement that
sinned ignorantly? how much
harder will it be with *Corazin*
and *Bethsaida* that sinne
presumptuously? Especially
with *Capernaum* that despiseth
her Lord God and master, *Iesue*
Christ him selfe? What is to
despise him; if to robbe him of
his honour, bee not to despise
him? Or what is to robbe him
of honour, if to take from him,
the

the things giuen him for maintenance thereof, be not to rob him? Therefore, when the children of *Israel*, withhold their *tithes*, and *offerings* from the *Leuites*, hee crieth out in *Malachy* 3. 8. That *himselfe was robbed and spoiled*: and was so highly offended therewith, that he cursed the whole Nation for it. And to make *this* sinne appeare the more monstrous, hee conuinceth the offenders therein: not onely to be violators of his *Legall* ordinances: but euen of the very law of *Nature*, written in the heart of euery man. For, saith he, *will any man spoile his Gods?* As if he should say: Can such a man bee found as will, or dares commit that sin, that all the nations of the world

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world, euen by the instinct of nature, account to be so horrible and impious? *To spoile his Gods: what, his owne Gods?* Some were found, that now and then aduentured, to spoile the gods of other nations (yet not without punishment) but few, or none that I reade of (till these latter daies) that spoiled their owne gods, in apparent & open manner, as the Lawyers terme it. I compt it not open and apparant, when wee doe as *Ananias* and *Saphira* did: pinch and detract from God, somewhat of that wee vowed to giue. Nor, when wee doe as the children of *Israel* here did: whithhold that which wee ought to pay out of our owne goods (yet both these were
 heinous

heinous sinners, and dreadfully punished.) But I call it ouert and apparant, when we thorw our selues into a more dangerous sinne, by inuading openly the deuotions of other men, and taking that from God and from his Church (as *Athalia* did) which we neuer gave vnto it, even the lands and livings thereof : yea, the Churches themselves.

2. Chro. 24.
vers. 7.

8 Doubtlesse we haue much to feare in this point : For as it is a transcendent sin ; so *Dauid* laboring to match it with a transcendent punishment, bestoweth a whole Psalme, (viz. the * 83.) in inuoying particularly against these kind of sinners : such (expressely) as would take to themselves the houses of God in

Dauids
zeale for
the house
of God.

y Psalme 83

* This
Psalme is
alleged
to this
purpose
by *Lucius*
(who was

D 4 posses-

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marrired
about An.
Cor. 255.)
in his E-
pistle to
the Bi-
shops of
Gallia and
Spaine.
Tom. Con-
cil. 5.

possession for that onely is the
very center of the *Psalme*, and
therein doe all the lines and
proiections of the *Prophets* in-
uectiues, concurre. First hee
maketh a flat opposition be-
tweene God and them : and
therefore calleth them his ene-
mies. Then, he describeth the
nature of these kinde of ene-
mies : namely, that they are
murmuring enemies, as grudg-
ing, and enuying at the prospe-
rity of the Church : *Malicious*
enemies : as hating, or hurting
the seruice of God. *Proud* ene-
mies, as *lifting up their heads a-*
gainst God, verse 2. *Crafty* ene-
mies : as imagining how to be-
guile the Church. *Conspiring* ene-
mies : as taking *Counsel* together
against Gods *secret ones* (as the

Reo-

Prophet calleth them,) that is,
 Gods seruants and Ministers;
verse 3. And lastly, *Confederate*
 enemies: as combining them-
 selues one by example of ano-
 ther, to perseuer in their course
 of wronging and violating the
 Church. *verse 5.* Yet for all
 this: those against who the Pro-
 phet thus enueigheth: did not
 that they desired. They disco-
 uered their malicious purpose
 by word of mouth, saying:
Let vs take to our selues the houses
of God in possession. But they
 onely said it, they did it not.
 Their will was good, but their
 power failed. Our will and
 power haue both preuailed: for
 we haue got the *houses of God*
into our possession: His Chur-
 ches, his lands, his offerings,
 his

his holy rights. We haue gotten them, and led them away captiue, bound in cheines of yron: that is so conuiced and assured vnto vs, by Deede, by Fine, by Act of Parliament, as if they neuer should returne againe vnto the Church. But heare what *David* saith to those of his time. Marke how he praieth for them. Mark what strage and exquisite punishments, hee designeth to them: and that in as many seuerall sorts, as there are seuerall branches in this kinde of sinne.

First, hee praieth, that God would deal with them, as hee did with the *Madianites* *vers. 9* That is, that as *Gedeon* by Trumpets and Lampes, strooke such a terror in the night time,
into

into the hearts of the *Madianites*: that the whole army fell into confusion, drew their swords one vpon another, were discomfited, and 120. thousands of them flaine. So that God, by his trumpets, the Preachers of his word; by his Lamps, which is, the light of the Gospel, would confound in like manner, the enemies and spoilers of his Church, that sleepe in the night of their sin: And that he would make them like *Oreb*, and *Zeb*, like *Zeba* and *Salmana*, *verse 11.* All which were strangely ouerthrowne, died violent deaths, and beeing glorious Princes of their nations, became like the filthy and lothsome, *Dung of the earth, verse*

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10. And *Judges* 7.25. & 8.21.

But doth the Prophet stay
 heere? no, hee goeth on with
 them: *O my God* (saith hee)
make them like a wheele, ver. 13.
 that is, wavering and vnsu-
 ble in their actions: so as
 they may neuer bring their
 purposes to an ende. Yea,
 make them abiect and con-
 temptible; *Like the abasse that*
the winde scattereth from the face
of the earth, verse 13. Well, is
 he now satisfied? no. All this
 doth but whet his spirits to
 sharper imprecations. He now
 desireth, that the very floud-
 gates of Gods wrath may bee
 broken open vpon them; and
 that the tempest of his indig-
 nation may rage at full against
 them: now hee cryeth out to
 God

God to consume them without mercy, yea and that in two terrible manners. One naturally, *As the fire burneth up the woode.* The other miraculouſlie, *As the flame consumeth the mountaines,* verſe 14. *Perſecute them euen ſo, (ſaith hee) with thy tempeſt, and make them afraid with thy ſtorme. Make their faces aſhamed, O Lord, that they may ſeek thy name. Let them bee confounded and vexed ever more and more, let them bee put to ſhame and periſh.* verſe 15. 16. 17. How ſhould the wit of man diſcouer and proſecute a ſinne in more vehement and horrible manner? Or, what ſhall make vs to abſtaine from ſuch haughty ſinnes? if all this preuaile not. Well, if to take
the

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the houses of God ~~into possession~~
on, bee thus? take them that
will for me.

9 Psalmist

The zeale
of our Sa-
uiour to
the house
of God.
And of
the parts
of the
Temple.

that was
spoken in
J^h

9 You see how ~~Daniel~~ in
this his sacred fury, was admir-
ably carried against this sinne.
Well therefore might hee say,
*The zeale of thine house hath en-
ten me up: Psal. 69. 9.* Yet, he
~~spake it not of himselfe alone:~~
but in the person also of our
Saviour Iesus Christ; who in
prosecutiō of ~~Daniel's~~ ^{his} zeale, did
that in this case: that he neuer
did at anytime else in al his life.
In all other cases, hee shewed
himselfe like the Pascall Lambe,
that euery body did eat & de-
uoure at pleasure; and like the
sheep that was dūbe before the
shearer, euen when his very life
was taken from him. But when
he

he saw the golden fleece, to be taken from the *house of God*: that is, when hee sawe the Church his beloued *spouse*, de- priued and spoiled of the ho- nour, reuerence, duty, and or- nament, that belonged to her: Then, ~~as David~~ did, hee grow- eth into a sacred fury; he lea- neth the mildnesse of the Pas- cal Lambe, and raketh vpon him the fiercenesse of the Lion of *Inda*. Then hee beginneth to bestirre him, and to lay a- bout him. Hee whippeth out them that prophaned it; dri- ueth out their sheepe and their oxen, though they were for the sacrifice: and ouerthroweth the table of the money chan- gers: *Iohn 2. 14.* Hee would by no meanes indure such
trum-

Mat. 21. 12

Mar. 11. 17.

Luk. 19. 45.

trumpety to bee in his Fathers
house; nor his Fathers house
to be made in house of Merch-
andise; but, much lesse then,
that merchandise should bee
made of his Fathers house it
selfe. O fearefull and most in-
humane sinne, *horresco refe-*
rens.

But ere I depart from this
place of Scripture; let mee
note one thing more out of it,
for the greater reuerence of
Churches. That although our
Lord be heere said, to haue cast
these things out of the Temple;
yet, in truth, they were not in
the Temple it selfe, but in the
outward Court or yard therof.
For within the inward parts of
the Temple, (namely, the first,
and second tabernacles) did no
man

man enter, but the *Leuite* *Num 18*
Priests: and of them also, none *Exr: 9.2.3.*
 into the second *Tabernacle*, but *4.5.6.*
 the High Priest. Therefore,
 although our Saviour Christ,
 were a Priest for ever after the
 order of *Melchisedek*: yet be-
 cause he was not a *Priest of Le-*
uy: but of the Tribe of *Juda*
 (of which Tribe *Moses* spake
nothing touching the Priesthood,
Heb. 7. 14.) I take it, that he
 neuer came within these parts
 of the Temple: nor where the
Sacrifice was; but frequented
 onely *Atrium populi*, the out-
 thereof, and the quality of his Tribe. See the forme
 of the Temple in *Arrian* *Strabon*, *Antiquitat. Iudaicar.*
lib. Arch. and in the *Geneva Bible*, *1 Kg. cap 6.* and
 make well both it, and the Note, vpon it, for I finde
 them (as vs others) most agreeable to the *Scriptur.*
 and relie not vpon the figure of the Temple in *Adri-*
anum, without good examination, for I perceiue hee
 hath misplaced somethings therein.

E

ward

ward count from the Temple.

• See the
note (*) a-
mong the
notes a-
fore said.

For into this onely, the people resorted: to worship, pray, and heare the word of God expounded, not pressing further towards the Temple: and in

• 2. Chron.
6.13.

the midst whereof (the brazen stage which Salomon praid vpon) was erected. Yet, this very place; this court, or outward yarde, would not our Saviour permit to be prophaned: neither with market matters, nor with carrying so much as a burthen or vessell through it, *Mark. 11.16.* For though it were not so *Leuitically* holy, as the Temple: yet it was dedicated to God, with the Temple: And taken often in the new Testament, for the Temple: as in the places before alleaged

leaged: And *Acts* 3. 2. 3. By which reason the very Church-
yardes themselves (being Dedicated with the Churches, and the principall soile thereof: as an old Satire witnesseth) seem also to haue in them a certaine kinde of *Sanctification*: and are not therefore to bee abused to secular and base employments: as not onely the Ancient Fathers, by the Canons of the Church: but the present lawes of the Land, haue well provided for them.

*Stat. Ne
Rellore:
proflernant
arbores in
Cemiterio.*

10 But some will say, that the *sanctification* of the Temple was *Leuiticall*, and therefore abolished, and not to be applied to our Churches. I answer: the Temple was sanctified vnto *three functions*; which also had

More of that matter: and how faire the sanctification of the Temple is abolished: or remaneth to our

ward court from the Temple.

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lished: or
remaineth
to our*

E 2

three Churches.

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three severall places, assigned to them. The first, belonged to the *Divine presence*; and had the custody of the *Holiest types* thereof; the *Oracle*, the *Arke*, the *Mercy seate*, &c. and was therefore called *Sanctum Sanctorum*, or the *Holiest of all*. The second, was for *ceremoniall worship*, and *atonement*: namely, by *sacrifice*, *oblations*, and other *Leuiticall rites*; the place thereof beeing the *Sanctuary*, (wherein were the *Holy vessels*) and the *Court of the Priests*, wherein the *Altar of burnt sacrifice* did stand. The third, was for *simple worship*, *prayer*, and *doctrine*, (without any pompe or ceremony:) and the place of this, was the *outward Court*, (called, * *Atrium populi*, and * *Sal-*

2. Chron.

4. 9. & 6.

1. 29.

* *Salomons portch;*) which there- * *Ab. 31.1*
fore had in it no Ceremonial im-
plement at all.

The *two* first of these functi-
ons, with the places, belonging
to them: were indeed, particu-
larly appropriate to the Law.
For, they were Ceremoniall, My-
sticall, Secret, Leuiticall, Iudai-
call, and Temporall Ceremonial;
as celebrated with much world-
lie pompe. *Mysticall*; as figu-
rating some spirituall things.
Secret; as, either performed
behinde the Veile or Curtaine:
or else, sequestred and remote
from the people. *Leuiticall*, as
committed onely to the Ad-
ministration of that Tribe. *Iu-
daicall*; as ordained onely for
the saluation of that people.
And *Temporall*; as instituted
E; onely

onely for a season, and not to continue. But the *Sanctification*, of the third *function*: and of the place thereto appointed: was directly contrary in all the points alleaged to the former two. *First* (as I said before) it was for *simple worship*, *Praier* and *Doctrine* which were there to be performed and delinered in all *sincerity*, without any *cere-mony*, or *cere-maniall* implement vsed therein. *Secondly*, there was no matter of *Mystery* therein to be scene: but whatsoeuer was *Mysticall* in the Law, or the Prophets, was there expounded. *Thirdly*, nothing there, was hidden or secret from the people, but acted wholly without the *Vaile*, and publiely for euery man. *Fourthly*, it was not appropri-

appropriate to the *Leuites*, but common alike to all the Tribes. Fifthly, not ordained for the *Jewes* particularly, but for all Nations in generall. And *lastlie*, not to endure for a time, as those other two of the Law) but to continue for ever: even after the *Gentiles* were called as well as the *Jewes*: that is, during the time of the Gospell, as well as the Law. Therefore, saith God, by *Isaia* the Prophet, cap. 56. 7. *My house shall be called an house of prayer, to all Nations*. He said not, an *House of Sacrifice to all Nations*: for the *Sacrifice* ended, before the calling of the *Gentiles*, and so they could haue no part thereof. Nor an *House of prayer* for the *Jewes* onely, for then had

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the *Gentiles* (when they were called) beene likewise excluded. But an *House of praier to all nations*, that is, *Iewes and Gentiles* indifferently: which therefore, must haue relation to the times of the Gospel. And consequently, the *sanctification* of that house, & of that *function*; is also a *sanctification* of the Churches of the Gospel.

We reade not therefore, that Christ reformed any thing in the other two functions of the *Temple*; for they were now, as at an ende. But because this third function was for euer to continue to his Church: therefore he purgeth it of that, that profaned it; restoreth it (as he did marriage) to the originall sanctitie; And that the future world (which

(which was the time of the Gospel) might better obserue it, then the precedent, and time of the law had done; he reporteth, & confirmeth the *decree*, whereby it was sanctified: *It is written*, saith he, (as producing the record and words of the foundation) *My house shall bee called an house of praier to all people.* Hee saith, *My House*, as excluding al other, frō hauiug any property therein; for, God will be Iointenant with no man. And it shall be, *An house of praier for al people*: that is, publike for euer, not priuate, nor appropriate to any: nor a *denne of theeu*, that is, no place of Merchandise, or secular businesse, as *S^t. Ierome* expoundeth it. It must not be an Impropriation; no man
can

can, or may hold it in that kinde.

The time also when our Saviour pronounced these words is much to the purpose : as it seemeth to me. For it was after he had turned out the oxen and doves, that is, the things for the *Sacrifice*. As though, hee thereby taught vs, that when the *Sacrificall* function of the Temple was ended : yet the *sanctification* thereof, to be an house of praier, foreuer remained.

Saint Paul
main-
taineth the
reuerence
of the
Church.

II This doctrine of our Saviour, is continued vnto vs by Saint Paul : who, seeing the *Corinthians* to prophane the Church, with eating and drinking in it : though much good might follow thereby, (beeing order-

orderly done) as the encreasing
 of amity, and the reliefe of the
 poore, yet because it was a-
 gainst the reuerence of the
 place: he not onely reproveth
 them for it, demaunding if they
 had not houses to eate and
 drinke in at home, but skearing
 them also (by shewing the dan-
 ger they were falling into) hee
 speaketh to them as with ad-
 miration: *Despise ye the Church*

of God? As if he should say, is I Cor. II. ye. 22

your religion now come vnto

that? or is that your Religion,

To despise the place that God hath

sanctified vnto himselfe; by ma-

king it, as Saint Ierome saith,

triclinium epularum, a banque-

ting house. God wondered in

salacky that any should *spoil*

their gods. And the holy Ghost

here

Comentary.
 in I Cor. I.

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heare wondreth, that any should
despise the materiall Church : for
so Saint Ierome expoundeth it.
Thus both of them wonder at
one and the same thing : that
any man should bee so irreligi-
ous, as to prophane the reue-
rence due vnto God, and that
that is his.

The zeale
of some of
the Fa-
thers to
the
Church.
Scrm. de
imp. tem.
10. 234
215 fol
234

12 So precise therefore
were the Ancient Fathers in
this point, that, that meeke
Saint of God, Saint *Augustin*,
would by no meanes endure
that any should vse clamours,
or dauncing within the vng of
the Church. Yea, he termeth
them, *Mise able and wretched*
men that did it. And denoun-
ceth against them, that *if such*
came Christians to the Church,
they went Pagans home. But
when

*In oratorio pariter arandi et psallendi
cultu uentus nihil agatur: ut nomini
huic, & opera ingiter impensa concordet.
Aug: Epist: 109 de requie monachorum. p
et non his uerbis v. 402 p. 105 M. &
Destine 42 in oratorio.*

when the Church it selfe came
to be abused! Oh, how Saint
Ambrose taketh it, even against
the Emperour him selfe, great
Valentinian that required it for
an Arian. O (saith hee) let him

aske that is mine; my lands, my
goods, and what soever I possesse,

I will not denie them, yet are they
not mine, but belong to the poore.

Verum ea que diuina sunt, &c.
saith he, but those things that

are Gods, are not subject to the au-
thority of the Emperour. If my

lands (I say) bee desired, enter
them a Gods name: If my body,

I will carry it him: If he wil haue
me to prison, yea, vnto death, it

pleaseth me well, I will not defend
my selfe with multitude of people,

neither will I flye to the Altar de-
siring my life, but with all my heart

will
or in legem Concil: 2^o Epi to Ca: 34 p 666.

Ad Mar-

cellinam

so orems:

Epist. 33.

*res paup' nō
tollendas non.*

Moqu: 1. ca 7.

Et epi habeat

potestate res

ecclesiast: pri-

deat regere

gubernare et

ca 8. / 10: 3A

469

2^o not genera

tory p

p sacris rasis

Euf: 18 ca 22.

in principio

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In fine.
iusdem E-
pistol.

will die for the Altars. And after, in speaking of the impious Souldiers. O that God (saith he) would turne their hands from violating the Churth, and then let them turne all their weapons upon me, and take their fill of my bloud. And many such excellent speeches hee hath for the sanctity of the Church and of the reuerence due vnto it, in his Oracion, *De Basilicis tradendis*.

* Here-
ticks which
cōdemned
Churches

and haue established it (against the *Eustathians*, *Messalians*, and *Fraticelli*, * hereticke: and all other.

other the enemies therof) with
to many examples, admoniti-
ons, exhortations, precepts,
threatnings, curses, and excom-
munications: as it requireth a
booke alone to repeate them.

13 It seemeth a smal thing Sacriledge
not to bee
suffered in
the least
things.
to dance in the Churchyard,
or to eat and drinke in the
Church. But *sanctification* (saith

Ierome speaking on this mat- Coment. in
2 Corin. II.
22. 10. 9
Eccles. 25.
27.
ter) *consisteth also euen in the smal*
things. Therefore *Ecclesiasticus*
aduiseeth vs, that *wee giue not*
the water passage, no not in a little.

For hee that openeth the wa-
ters but a little, knoweth not
how great a breach they will
make at length. So is it to make
an entrance into sinne, or to
breake the reuerence of holy
things in trifles.

There-

Therefore God punished
 severely the very perry offend-
 ers in this kind: not *Corah*
 onely and his company; that
 invaded the high function of
 the Priesthood: but even him
 that gathered the sticks on
 the Sabbath day. *Numb. 15. 34.*
 And poore *Vzzah* himseife
 (whom *David* somuch lamen-
 ted) that did, as it were, but
 stay the *Arke* from shaking;
 (2. *Sam* 6. 6. & 1. *Chron.* 13. 9.)
 And yet died for it, because
 his hand was not sanctified to
 that purpose.

An admo-
 nition to
 them that
 meddle
 with holy
 things.

14. I conclude this point
 with the saying of *Salomon* *Pro.*
20. 25. (and let all men well
 consider it.) *It is a snare for a*
man to deuoure that which is san-
ctified, and after the Vowes, to en-
quire:

quire. A Snare hath three properties. *First*, to catch suddenly. *Secondly*, to hold surely. *Thirdlie*, to destroy certainly. So was *Vzza* taken ere hee was aware: hee did but touch the *Arke*, and presently hee was catcht. King *Vzziah* did but meddle with the incense, and presently the *Leprosie* was on his face: 2 Chron. 26. 19. *Iero-boam* did but stretch out his hand against the Prophet, and presenly it *withered*: 1 Kin. 13. 4. And as a man falleth suddenly into it: so is it as hard to get out. *Vzza* died in it presently. *Vzziah* languished in it all his life, and then died in it also. *Corah*, *Dathan*, and *Abirā* were no sooner caught in this snare, but it held them so

F sure

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surely, as when al Israel else fled
and escaped; they, and their
companions (most miserable
men) were detained in it, to
their notorious destruction.

I might here take iust occasiō
to remember what hath hap-
ned to many in this Kingdome,
that became vnfortunate after
they medled with Churches,
and Church livings. But I will
runne into no particularities.
Let those men, and those fami-
lies, which are vnfortunate (as
we terme them) consider, whe-
ther themselues, their Fathers,
or some of their Auncestors,
haue not beene fettered in
this snare.

Mark how many
of them haue en-
royed them to the
thruade & 4 grom-
tion. v. capital.
Carol. lib: 6 ca: 29.
Ne cupidus sanc-
tari vren regis
qui in illis e illos
familiosius exenat

See Examples here
of NE. 77 a l. 1^a of 19.
and agt that in vnd
y Church goods the
Synod of Tricon 2^a
cap: 25 denounceth the 108 ps: as agt Indas rof
that sayd let his posterity be destroyed & in
next generatiō let his name be cleane put o
Ter 2 p: 660. and here in Libanand agt Lym v. d
2^a from from your pulpits. Consider of y p
8. Cuomest by 11 of y Parliamt.

And let the Proprietaries of
Parsonages also well consider
these things. For, if Vza died,
that

that did but touch the Arke to
saue it: what shall become of
them, that stretch out their
hands against Churches to de-
stroy them? If the *stickgatherer*
was stoned, for so small a pro-
phanation of the *Sabbath*?
What shall they looke for, that
by destroying the Churches,
destroy also the Sabbath it
selfe, (in a manner) as taking a-
way the place appointed to
the publike sanctification ther-
of. And if *Corath, Dathan, and*
Abiram, offended so hainously,
in meddling with the things
of the Leuiticall Priesthood,
though they employed them
to the seruice of God: what
haue they to feare, that vsurpe
the things of the Gospel, and
peruert them wholly to their

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owne vse, from the seruice of God? Yea, that pollute his Churches and houses of prayer to seruile & base offices: leauing the Parishioners vncertainlie prouided of diuine seruice, to the destruction, both of the Priesthood it selfe, and of the seruice of God in generall.

A surmise
answered,

15 But they wil cōfort themselves with this : that though the Churches be sanctified to some purpose, yet the sanctity thereof differeth from *Leuitical sanctificatio*: and that God doth not now kill any from heauen, for prophaning the things of the Gospell; as he did then, for prophaning the things of the Law. I answer : the sanctity indeede of the one differeth from the sanctitie of the other.

For

For the *Leuiticall* things were sanctified by the hand of man, to bee matter of Ceremony: but the Churches of the Gospel, are sanctified by our Saviour himselfe, to bee houses of praier. Not that praier is to be vsed onely in these places, but that these places are onely to be vsed for praier. And we must not presume that God sleeperh because he punisheth not (now as he did of old) the cōtemners of his worship. For as the Law consisted in visible and temporall things, so the punnishments therein, were for the most part visible & tēporall. But the Gospel concerneth things inuisible and eternall, and therefore the punishments assigned therein, are for the most part, inuisible

and eternal.

Another
surmise
answered.

16 They haue also another comfort, and that is, that though these things were once Spiritual, now they are made temporal by the Lawes of *Dissolution*, and especially, by the *Stat. of 32. H. 8. cap. 7.* It is true that those Statutes, apply diuers Law termes vnto these things, that properly belong to temporal inheritances: and that the Statute of 32. H. 8. hath made them *demandable* by original Writs, & hath giuen certaine real actions, and other courses for recouering and conueying of them in Temporall courts: because Lay-men could not in former times haue sued for things of this nature in any Court of the Kingdome. But
this

this prooueth not the things themselves to be therfore temporall, (no more then that an Englishman is a Frenchman, because hee saileth in a French bottome.) For vpon the same reason the Statute giueth also other actions (for recouering of *tithes* and *offerings* withholden, &c.) in the *Courts Spiritual*. They then that out of the one part of the *Statute* will haue them temporall, are by the other part enforced to confesse them stil *Spiritual*, and so to make them like a Centaure: *prolem bisformem*. It were very hard (in my vnderstanding) to ground a point of so great consequence, vpon subtilty of words, and ambiguous implications, without an expresse

letter of Law to that purpose,
especially, to make the Houses
and offerings of God, *temporall*
Inheritances. But I see it is a

^aTerm Pas. Law questiō in my Lord ^aDier,
An. 7. Ed- whether *tithes* be made Laye or
6. Assise Temporal by any words in
fol. 83. b. those Statutes. And therefore I

^bDoct. & Masters of the Law, who have
fina. ca. 6 the key of this knowledge one-
^cSee Aug. ly in their owne custody. Ycr I
Ser. 219. de thinke I may be so bold, as to
Temp. How say thus much out of their own
stierf and b bookes, that a Statute, directly
most Ca- against the Law of God is void.
nonists, Concil.

^aMoreise. 2. If then *Tithes* be things spiritual,
cap. 50. and due *de iure diuino*, as many
Concil. Mo- great ^cClarkes, Doctors, Fa-
gunt. cap. thers, some Councels, and (that
38. alias 10, euer honorable Iudge & oracle
of Law) my Lord Coke himsele
in

and a Law
grounded

upon a false

sumption is

not to be hol-

den in France

1202. 4. Str: 66.

1202. 19.

For as the prophets have testified of
 Kings & Cods Confess amongst y^e Benignus
 y^e Civ: Ecclesiis, thus song much applauds
 Nor in mortalit^{as} a dual sub Idem immortalit^{as}
 in the second part of his & Re-
 ports, affirme them to bee: I
 cannot see how humane Lawes
 should make them Temporal.
 Of the same nature therefore
 that originally they were of, of
 the same nature doe I still hold
 them to continue. For, manen-
 te subiecto, manet consecratio, ma-
 net dedicatio. Time, Place, and
 Persons, doe not change them,
 as I take it, in this case. * Naba-
 chodonozor tooke the holy ves-
 sels of the Temple, hee caried
 them to Babylon, he kept them
 there all his life, and at last left
 them to his Son and grandchil-
 dren: but all this while, the
 vessels still remained holy. Yea,
 though they were comne in-
 to the hands of those that were
 norttyed to the ceremonies of
 coepescuit) restrictionis etiā munus aliquādo aggressurū.

d'Wimes
 sont cholen
 spiritual, &
 dus de iure
 diuino. Le
 cuesq; de
 Winch: case.
 fol. 45.
 Nescio quo
 fato fit: ut
 eadem tēpo-
 ris periodo
 (viz an. 68)
 post ereptas
 per Nabuc:
 & H. 8. res
 tēplorum:
 stirps utrif-
 que regia
 extincta sit,
 imperiū (u-
 blatum, &
 ad extra-
 neos princio-
 pes deuolu-
 tum. Vlti-
 rius igitur
 speremus,
 cyrū nostrū
 Iacobū regē
 (qui sceptra eadē pessi-
 dissidentia
 Lenti aere
 extrinsecus

the est. Henricus alius
 fahas in ramo in star Absolore
 suspensus Mill. v. nupus sagitta
 traxerunt. Robtus vxo exedatōr
 in cancer paxit, & ipse met mortuus sepulturus
 phibetur Annus 68 post conquestionem p^{er} h
 extinctio felio
 Regni ab extanro Stephano usurpata est et p^{er}

the law, and at length into the
 handes of them that had
 them by a lawfull succes-
 sion from their Fathers and
 Grandfather: yet as soone as
 they beganne to abuse them to
 prophane vses: that very night
Balthazar himselfe died for it,
 the line of *Nabuchodonozor*
 (that toke them frō the Tem-
 ple) was extinct, and the King-
 dome translated to an other
 Nation. Dan. 5. 2.

A third
 turne
 answered.

17. Happely also, *Lay Ap-
 propriaries* comfort themselues,
 that they may hold these
 things, by example of Colles-
 ges, Deanes, and Chapters, &c.
 Bishops of the Land, and of the
 King himselfe. Before I speake
 to this point, I take it by pro-
 testation, that I haue no heart
 to

to make an Apologie for it. For
 I wish that every man might
 drinke the water of his owne
 well, eat the milke of his owne
 flocke, and live by the fruit of
 his owne vinyard. I meane, that
 every member might attract no
 other nutriment, but that
 which is proper to it selfe. Yet
 are they greatly deceived, that
 drawe any iuce of encourage-
 ment from these examples. For
 all these are either the Semina-
 ries of the Church, or the Hus-
 bandmen of the Church, or
 the Fathers and nurses of the
 Church: all *de familia Ecclesie*,
 and consequently, belonging to
 the care of the Church, and
 ought therefore to be sustained
 by it: for Saint Paul saith. *He*
that provideth not for his owne,
 and

Alechurch *and namely for them of his house-*
 reuenues *hold, he denieth the faith, and is*
 wer at first *worse then an infidel. 1. Tim. 5.8*
 paid to Bi-
 shops and *Therefore before the Statutes*
 by the dis-
 tributed to *of suppression of Abbies, those*
 the priests, *that were not meere Ecclesi-*
 poore, &c. *astical persons, yet if they were*
 after the *mixt, or had Ecclesiasticall iu-*
 Bishops *risdiction, they might by the*
 were to *Lawes of the Land, participate*
 haue a 4. *Ecclesiasticall livings, and*
 part of all *Tithes particularly. And this*
 tithes. Per *seemeth to take some ground*
Concil. Au-
relian. Mo-
gun. Tribur.
Haner: &c.
Et per Conc.
Tarracon.
 the 3 parr. *out of the word of God. For*
 b Plowd. in *the prouincial Levites (as I may*
Quar. imp.
per Grend
L. Coke Re-
port. part. 5.
fol. 15.
 c 1 Chri. 26. *terme them) whom David*
 30. & 32. *seuered from the Temple, and*
 d 2 Chro: 17. 7. 19 8. *placed abroad in the countrey*
to bee Rulers of the people, in
matters pertaining to God, and the
Kings businesse, (that is, spiritu-
ally and Temporally:) had their
portions

d
 & Joh: ha-
 phat

portions of *tithes* notwithstanding, as well as the other *Leuites* that ministred in the Temple. Now, that the King is

^b *Persona mixta*, endowed aswel with Ecclesiasticall authority, as with Temporall: is not only a solid Position of the Cōmon Law of the Land, but confirmed vnto vs by the continuall practise of our auncient Kings,

euer since, and before the Conquest, euen in hottest times of Popish feruency. For this cause at their coronatiōs, they are not only crowned with the diadem

of the Kingdome, and girt with the sword of Iustice, to signifie their Temporall authority, but are annointed also with the

oyle of *Priesthood*, and clothed

3. tit. *Adde de Roy 103. Ex Dem. Coke Repor. part 3.*

^b See Plow. den in Quar. Imp. per Gren. don Et Lo: Coke de In- re Regis Eccles. part 5.

So brissam on der East to my Glos. in Brita cene.

^c *Reges sa. cro oleo un. Eli, sunt spiritualis iurisdic- tionis capa-*

ces 33. E. d. forte no oleo un. Stola dotij fzd oleo facto. quare?

Moyse had temporall iurisdiction as the gouernor of the people & sole iudiciall function as being a leuite & brother of Aaron. se Kingd.

Sacerdotes stola[m] portant propter signu[m] casti-
tatis. Conf. Capit. Caroli & Ludo: 11: 6 ca: 169. orationi
ita dicit q. 2: in
Archief. 101: 1 ten
Alba.

8 De non temerandis

Stola sacerdotali, and veste d Dal-
matica, to demonstrate this
their Ecclesiastical iurisdiction,
whereby the King is said in the
Law to be *Supremus Ordinarius*
and in regard thereof, amongst
other Ecclesiasticall rights,
and prerogatives belonging
vnto him, is to have all the
Tithes (through the King-
dome) in places that are out of
any parish, for some such there
be & namely, diners Forrests.
But for all this: O that his
Maiestie would bee pleased
to remember syon in this
point. But *Exhultate* quid
Jeb dicit tithe ratiocinatio cap:
regia phi- c 22. Edw. 3 lib. Aff: pla. 75. Lo: Coke par. 1. fol.
nebant dr 15. 2. As Inlewood, &c. v. p. 121. Anna. 18. Ed.
nitas a po = 1. inter petito'es coram dno Rege ad Parliamem-
chians B: tam. Inq: ratiocinatio q. est in subord.
Rhe 169 in non to non esse in subord: nante, cu ab ad p
pide. ordinatu dicitur. Barcl. p. 15 ult:

Deacomus Alba tempore oblationis tam
ut lectionis utatur. byt: 93 c: 19. ubi G
Alba id est dalmatica. argum: quest: 3
presbyter

o Dalmatia
est vestis,
qua modo
utuntur
omnes dia-
coni ex con-
suetudine
in solenni-
tatibus. ut
70 distin.
de iur. io.
Antiquitas
ramen, si e
concessione
Papae, nec
Episcopis,
nec Diacon-
is licebat
uti hac ve-
lie. Distinct
23: cap:
Omnes s: s:
lioni Pra-
reus.

X see Prat:
p falsi pro
76.

Latci pos-
sidebant
dominicas
decimas q
ad sacella
regia phi-
nebant dr
nitas a po =
chians B:
Rhe 169 in
pide.

18 I grow tedious, yet be-
 fore I close vp this discourse let
 me say one thing more to the
Proprietaries of Churches,
 that happely, they hitherto
 haue not dreamed of. And
 that is, that by hauing these
 Personages, they are charged
 with Cure of soules, and make
 themselves subiect to the bur-
 den that lieth so heavily vpon
 the head of euery Minister: to
 see the seruice of God perfor-
 med, the people instructed, and
 the poore releued. For to
 these three ends, and the main-
 tenance of Ministers were per-
 sonages instituted, as not only
 the Canons of the Church, but
 the bookes of the Law, and par-
 ticularly the Statutes of 15. R. 2.
 cap. 6. And 4. H. 4. ca. 12. doe
 mani-

The dan-
 ger that
 Proprie-
 taries of
 parsonages
 stand in.

manifestly testifie. And no man may haue them but to these purposes, neither were they otherwise in the hands of Monastical persons nor otherwise given to the King by the Statute of Dissolution, then ^a*in as large and ample manner, as the gouernors of those Religious houses had them,* nor by him conueied otherwise to the subiects. For, *Nemo potest plus iuris in aliam transferre, quā ipse habet. No man may grant a greater Right vnto another then hee hath himselfe.* And therefore, goe where they will, *transcunt cum onere,* they carry their charge with the. Vpon these reasons *Proprietaries* are stil said to be, ^b*Parsons* of their Churches, & vpon the matter, are as the Incumbents there.

^a See the extent of these words in *L. Coke part. 2. fol 49.* And note also that *Parsonages* appropriate, are not mentioned in that Statute of 27, H. 8. and the word *sithes* there seemeth to be meant of *sithes* belonging to the bodies of the Monasteries; not of *Parsonage sithes.* Ideo *quare* how the King had them before the Statute of 21 Regni sui.

^b *Parson* in personce.

Bring in from
I note appo
pag 85 e
eye wife

thereof, and the Churches by reason of this their incum-
 bency are full and not void. For otherwise, the Bishoppe
 might collate, or the King present a Clarke (as to other Churches) as it seemeth by the arguments of the Iudges in the case
 betweene Grendon and the Bishop of *Lincolne* in *M^r. Plowden*. where it is also shewed
 that the incumbency is a spirituall function, and ought not to be conferred vpon any but spiritual persons, and such as may
 themselves doe the diuine Service, and minister the Sacraments. Therefore, *Dier*, L. Chief
 Iustice of the Com. Pleas there said, that it was an horrible thing,
 when these Appropriations were made to Prioressees and
 G houses

For the monasticall persons and Prioressees themselves that could not performe the diuine service were notwithstanding the Incumbents of their Churches, and lay appropriaries claiming vnder their right ought also to be subiect to the same burdens.
 See *Dier Trin. 36. H. 8. f. 58. pl. 2.*
 There is yet no express lawe made to take away the Bishops iurisdictiones ouer Churches appropriate, (that an fi
 Idea quare
 how it extendeth.

houses of Nunnes, because that
 (although they were religious
 persons,) yet they could not
 minister the Sacraments and
 diuine Seruice. Implying by
 this speech of his, that it was
 much more *horrible* for Laymē
 to hold thē, that neither could
 doe these holy rites, nor were
 so much as Spiritual persons to
 giue them colour for holding
 of spiritual things. Therefore Ser-
~~uant~~ * *Rastal*, also termeth it a
Wicked thing, complaining (in
 his time) that it continued so
 long, to the *Hinderance* (hee
 saith) of *learning, the impouerish-*
ing of the Ministry, and to the
infamy of the Gospel, and professors
thereof.

Massee
 * Termes
 of the Law
 in verbo
 Appropria-
 tion.

Et enesque
de Clinche-
sters case,
fol 44. b.

My Lord Coke also in the
 second part of his *Reports*, saith,
 that

that it is recorded in History,
that there were (amongst other)
two grievous persecutions, the
one, vnder *Dioclesian*; the other
vnder *Iulian* named the Apo-
stata: for it is recorded, that the
one of them intending to
haue rooted out all the profes-
sors and Preachers of the word
of God, *Occidit omnes Presby-
teros*. But this notwithstanding,
Religion flourished; for *Sanguis
& Martyrum est semen Ecclesiae*.
The blood of the Martyrs is the
seed of the Church, and this was
a cruel and grievous persecuti-
on: but the persecution vnder
the other was more grievous
and dangerous, *Quia* (as the
History saith) *ipse occidit pres-
byterum*. Hee destroyed the very
order of Priesthood. For he rob-

^a *Diocles.*
vide Euseb.
hist. eccles.
lib. 7. cap. 3.
Niceph. l. 7.
cap. 3.

^b *Iulian. vi.*
de Theodo-
rit. hist. lib.
3. cap. 6. &
Niceph. lib.
01. cap. 5.

bed the Church, and spoiled spirituall persons of their reuenues, and tooke all things from them wherof they should liue. And vpon this, in short time, insued great ignorance of true religion, and the seruice of God, and thereby great decay of Christian profession. For none will apply themselves or their sonnes, or any other that they haue in charge, to the study of Diuinitie, when after long and painfull study they shall haue nothing whereupon to liue. Thus

saith my Lord Coke. &

I alledge these Legall authorities and leaue Diuinity, because the Appropriaries of Parsonages (which shield themselves vnder the target of the Law) after the passing of the Gospel as long as the rollage of their Pontifices & seat in purple did enioyed their priuileges not not till the time of Theodosius & elder. But as soon as an Edict was made that gaue their honours to the Emperours from Religion & partly vanishing & partly to nothing. To returne more & lesse

Law) may see the opinioⁿ of the
 great Lawyers of our own time
 and Religion, and what the
 bookes of the Law haue of
 this matter, to the end, that we
 should not hang our consciences
 vpon so dangerous a pinne,
 nor put too great confidence
 in the equity of Lawes, which
 we daily see, are full of imper-
 fection, often amended, often
 altered, and often repealed. **T**
 how lamentable then is the case
 of a poore *Proprietarie*, that dy-
 ing, thinketh of no other ac-
 count, but of that touching his
Lay vocation, and then com-
 ming before the iudgement
 seat of Almighty God, must
 answere also for this *spirituall*
function. First, why hee med-
 led with it not being called vn-

It is said
 in my L.

Dier in the

case of a

common

persⁿ, that

the seruice

of a cure

is a spiritu.

all admini-

stration

and can not

be leased,

and that

the seruice

is not illu-

ing out of

the pet-

sonage, but

annext

vnto the

person.

36. H. 8.

fol. 58. b.

pl. 8.

G 3

to

*Proprietaries which have Vicars endowed, think themselves thereby discharged, but though the Vicar be the Parsons deputy to doe the diuine Service, yet a superior care thereof resteth still upon the Vicar himself and the surplage of the profits, belongeth to the poore, as appereth by the whole body of Fathers, Doctors, Counsellors, &c.

That it is not beneuolence but duty to restore Church-livings.

to it. Then, why (* meddling with it) hee did not the duties that belonged vnto it, in seeing the Church carefully serued, the Minister thereof sufficientlie maintained, and the poore of the parish faithfully releued. This I say, is the vie where to Patronages were giuen, and of this vie wee had notice before we purchased them: and therefore, (not onely by the lawes of God and the Church, but by the Law of the Land, and the rules of the Chancery, at this day obserued in other cases) weeought onely to hold them to this vie, and no other.

19 It is not then a worke of bounty and benenolence to restore these appropriations to the Church, but of duty and necessity

necessity so to doe. It is a worke
of duty to giue that vnto God
that is Gods, *Matth. 22. 2.* And
it is a worke of necessity to-
wards the obtaining remission
of these sinnes. For Saint Au-
gustine saith, *Non remittetur*
peccatum, nisi restituatur abla-
tum cum restitui potest. The sinne
shall not be forgiven, without re-
storing of that which is taken a-
way, if it may be restored. *✠*

to make restitution

Ad Maceo
donium
Epist. 54.
10m. 2.

It is duty, iustice, and neces-
sity, to giue them backe vnto
God. For if *Iudas* (who was the
first president of this sin) were
a theefe, as the Holy Ghost *10b. 12. 6.*
termeth him, for imbeasiling
that which was committed
vnto him for the maintenance
of Christ and his Disciples, that
is of the Church: by the same

G4 reason

And thou knowest saith Hieronim *✠* he that murthereth
an other mans right in this worlde, is accused by *✠*
poore & condemned by *✠* Judge: So in *✠* church of God
when any man loseth his stipend or wages careth out
to God, and Christ heareth him attentively, and
the sentence of reuenging is not deferred in *✠* case
if they be not all restored. *Eccl. 5. 67* v. l. med.

reason, must it also be the euerie
 to withhold these things which
 were given for the mainte-
 nance of the Church, and Mi-
 nisters of Christ. And heerein
 it is a degree aboue that sinne
 of *Judas*, as robbery is aboue
 theft: for *Judas* onely detained
 the money (deliuered vnto
 him) closely and secretly; but
 we and our fathers, haue inua-
 ded Church-livings, and taken
 them (as it were by assault) euen
 from the sacred body and per-
 son of the Church.

It is a great sinne to steale
 from our neighbour; much
 greater (euen sacrilege) to steale
 from God. If it were so hai-
 nous a fact in *Ananias* to with-
 hold part of his owne goods,
 which he pretended he would
 giue

giue vnto God, how much more is it in vs, presumptuouslie to reauce that from God, that others haue already dedicated and deliuered vnto him. *Salamon* saith, *Hee that robbeth his father and his mother, and saith, it is no sinne, is the companion of [a murdereth, or] him that destroyeth,* But he that purloineth the things of God, robbeth his father, and hee that purloineth the things of the Church, robbeth his mother. And therefore that man is a companion of the destroyer.

The *Fathers, the Doctors, many great Councils, and auncient Laws of the Church, commaund, that things taken from the Church, should be restored. And the Church
by

Pro. 23. 24.

* *Synod. 5^a.*

Rom. 27. 8.

Episcop.

An. 503.

Conc. Val.

An. 855.

ca. 9.

Cor. Rom.

100. Episc.

Anno. 1063.

Conc. Rom.

3. An. 1078.

Coc. Palent.

An. 1388.

Conc. Oxon.

Gene. Ang.

an. 1322.

by her ^a Preachers & Ministers continually entreateth, vrgeth, and requireth all men to doe it. They therefore that doe it not, they refuse to heare the Church: And then our Saviour Christ, by his own mouth, denounceth them^b to be as heathens and Publicāns, that is, excommunicate & prophane persons. If he refuseth (saith our Saviour) to heare the Church also, let him bee vnto thee as a heathen man, and a publican. Mat. 18. 17.

It is a fearefull thing not to heare the ^c Church, but much more, not to heare Christ himselfe. Christ hath giuen vs a perpetuall Law and commandement, touching things be- longing to God; That we should the church doth not cōmād it til we make a parliamēt law for it, but the law is made alreedy by Christ himselfe.

^a A strange change: the Israe- lites gaue their owne goods so abundantly to the seruice of God, that Moses was forced to restraine them by proclama- tiō: Ex. 36. 5. but now nothing can moue vs to giue God that w^b is his alreadie.

^b Qui sub nomine fide- liū, agūt ope- ra infidelium Hiero. ibid.

^c We think

giue

them to God. If we breake this Lawe, wee breake a greater Law then that of the *Medes* and the *Persians*: and therefore mark what the holy Ghost concludeth vpon vs; Every person that shal not heare this Prophet (Christ Iesus) shall bee destroyed out of the people. *Act. 3. 23.*

¶ 20 To conclude then, as the *Philistims* made haste to send home the *Arke* of God; and the *Egyptians* to ridde themselves of the people of God: so let vs ply our selues to render vnto God his Lands and Possessions with all speede. Otherwise, as he struck the *Philistims* with *Emrods* secretly, and the *Egyptians* with manifold scourges openly; so onely himselfe knoweth, what hee hath determined

The Conclusion.

1. Sa. 3. 11

Ex. 12. 31

epist: Nsc: 16: To: Con: 3 A

789

mined against vs.

And thus I end, with the
 saying of the blessed Saint Cy-
Cypri. Ser.
3 de lapsis, pryan, *Nec teneri iam, nec amari*
in fine. *Patrimonium debet, quo quis &*

deceptus, & victus est. We must
now, neither hold that Patri-
mony, or living, (no) nor so much
as take pleasure therein) whereby
a man is intrapped and brought to
destruction. And with that o-
ther of the noble S. Augustine:

Lib. de Ha. With what face canst thou ex-
re. cit. per *pect an inheritance from Christ*
Isidor. *in heauen, that defraudest*
Christ in thy inheritance
heere on earth:

Therefore

MAR. 12. 17. Giue vnto Czar the things that are
Czars, & vnto God the things that
are Gods.



¶ An Epilogue.

Pardon me good Reader, though
I haue neither satisfied thee,
nor my self, in this little discourse. It
is hard to bring a great vessel into a
small creeke, an argument of many
heads & branches, of much weight
variety and difficulty, into a few
pages. It may be thou thinkest the
volume big enough for the successe
that bookes of this nature are like
to haue. I reiect not thy iudge-
ment, yet would I not haue others
therby discouraged, from pursuing
this cause: for though Peter fish-
ed all night and got nothing, yet he
made a great draught (vnlooked
for) in the morning. He that disre-
cted that net giue a blessing to all
our labours. For my owne part (if
I catch but one fish) I shall think
mine well bestowed. Howsoeuer, it
shall content me, and I thanke God

11. vii.
uer. 3.

among of them
but they lie so
deap in y^e mudd
y^e an hook
will not reach
for them and a net
supprth our the

for it, that he hath girded me with so much strength as to strike one stroke (though a weake one) in his battell, and to cast one stone (though a small one) against the aduersaries of his Church.

Some will say, I haue vsed too much salt and vinegre, in this discourse; and that I haue bent the great artillery of Gods iudgements and threatnings, vpon a piece of too light importance. I would the consciences of men were such, as oyle and butter might supple them. But I see they are for the most part ouergrowne with so hard a carnosity, as it requireth strong and potent corasives to make an entrance into them. A preacher may shake them now and then with a Sermon, as Paul did Fælix: but when the thunder and lightning are ceased, they

this as being ielous of the cause,

Handwritten text, possibly a signature or date, appearing as a dark, illegible mark on the right side of the page.

they are (like Pharao) still where they were. Yea some haue conscientias cauteriadas, as the Apostle 1. Tim. 4. 2. tearmeth them, consciences seared with an hot iron: so stupefied, that dead Lazarus may be raised, before they can be moued. But God knoweth the hart of man, and bringeth water out of the hard rock, therefore though I haue spoken this, as transported with passion, yet in charity I wil hope better euens of the hardest of them. Only let no man think it a light sin, to keep open the passage whereby the * wilde bore (of barbarisme) enters the Lords vineyard, and whereby God is deprived of the honor due to his name. ^{13.} ^{* Psal. 80.} ^{Psal. 96.}

Now at the parting, it may be thou desirest to know what successe this my labour had with the gentleman to whom I sent it. In truth, neither that I desired, nor that
which

August. 17.
1613.

which I promised unto my selfe.
For (so it pleased God) that eue the
very day he messenger brought it
into Norff. the party died. Otherwise
I well hoped; not to haue shot this
arrow in vaine. But because it then
missed the mark at which it was set
(& many thought not fit to lose it,)
I haue now let it flie again at rādon
with some notes & alterations, as
the difference between priuate and
publike things requireth: but still
desiring that I might further haue
shewed my mind in many passages
hereof, (and particularly touching
tithes in quoto, and such Personages
as haue Vicarages well endow-
ed) which without making it almost
a new work, I could not do; & ther-
fore resting vpon thy curteous in-
terpretation, I leaue it to
thee, (for this time)
as it is.

The residue ought
to goe to y^e poorer
& so nothing is to
remayne to the
appropriatory.
V. Concl. August.
Ca: 116.

8e
A SERMON

of S^r. *Augustines*

touching rendring
of Tithes.

The occasion of this Sermon, for Homily was ministred vnto him by the time of the yeere, it being the 12. Sunday after Trinity, that is about the beginning of Haruest. The Scripture that he sitteth vnto it, is the 18. of Luke, where the Pharesie boasterh of his precise iustice in payment of Tithes. It is the 219. Sermon de Tempore: extant in the tenth Tome of his works, and there entituled:

De reddendis decimis.

BY the mercy of Christ
(most beloued brethren)
the daies are now
at hand, wherein wee

H are

are to reape the fruites of the earth : and therefore giuing thanks to God that bestoweth them, let vs bee mindefull to offer, or rather to render backe vnto him the tithes therof. For God, that vouchsafeth to giue vs the whole, vouchsafeth also to require back again the tenth not for his own, but for our benefit doubtlesse. For so hath he promised by his Prophet, saying: * *Ering al the tithe into my barnes, that there may be meate in my house; and trie mee, saith the Lord, in this point, if I open not the windowes of heauen vnto you; and giue you fruit without measure.* Lo, we haue proued how tithes are more profitable vnto vs, then to God. *O foolish men!* What hurt doth God command;

Decret

16. Qua. 1.

can. Deci.

ma.

Where you

may see

a great part

of this ser-

mon cited

for Augu-

stines.

Mala. 3. 10.

mand, that he shold not deserue
to be heard? For he saith thus:

The first fruits of thy threshing Exod. 22.
floore, and of thy wine presse thou 29.

shalt not delay to offer vnto mee.

If it bee a sinne, to delay the
giuing: how much worse is it,

not to giue at all? And againe, 16. Que. 1.
ca. decime.
Prou. 3. 9.

hee saith, *Honour thy Lord thy
God with thy iust labours, and
offer vnto him of the fruits of thy
righteousnesse, that thy barnes
may be filled with wheate, and thy
presses abound with wine.* Thou
doest not this, for God a mercy,
that by and by shalt receiue
it againe with manifold in-
crease. Perhaps thou wilt
aske, who shall haue profit by
that, which God receiuech, to
giue presently backe againe?
And also thou wilt aske, who

H 2

shall

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shal haue profit by that which
is giuen to the poore? If thou
beleueest, thy selfe shall haue
profit by it, but if thou doub-
test, then thou hast lost it.

Tithes (*deare brethren*) are a tri-
bute due vnto the needy soules.
Giue therefore this tribute vn-
to the poore, offer this sacrifice
vnto the Priests. If thou hast
no tithes of earthly fruits: yet
whatsoever the husbandman
hath, whatsoever Art sustaineth
thee, it is Gods, and he requires
tithes, out of whatsoever thou li-
uest by: whether it be VVarfare,
or Traffike, or any other trade,
giue him the tithes. Some things
we must pay for the ground we
liue on, & something for the vse
of our life it selfe. Yeeld it ther-
fore vnto him (*O man*) in regard
of that which thou posses-

fest: yeeld it (I say) vnto him,
because he hath giuen thee thy
birth: for thus saith the Lord.
Euery man shall giue the redemp- Et 30. 12.
tion of his soule, and there shall not
be amongst them any diseases or
misshaps. Behold, thou hast in
the holy scriptures, the cautions
of the Lord, vpon which he hath
promised thee, that if thou
giue him thy *tithe*, thou shalt
not only receiue abundance
of fruits, but health also of bo-
dy. *Thy barnes* (saith hee) *shall*
be filled with wheate, and thy pres- Pro. 3. 10.
ses shall abound with wine, and
there shall bee in them neither dis-
eases nor misshaps. Seeing then,
by payment of *tithes*, thou
maiest gaine to thy selfe, both
earthly and heauenly rewards:
why doest thou defraude thy
H 3 selfe

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14. Que. 1.
 ca. Decima.

 selfe of both these blessings together? Heare therefore, (*O thou zeale-lesse mortality.*) Thou knowest, that all things that thou vñest are the Lords, and canst thou finde in thy heart, to lend him (that made all things) nothing backe of his owne? The Lord God needeth not any thing, neither demandeth he a reward of thee, but honour; he vrgeth thee not to render any thing that is thine, and not his. It pleaseth him to require the *first fruits*, and the *tithes* of thy goods, and canst thou denie them, (*O conetous wretch?*) What wouldst thou doe, if hee tooke all the *nine* parts to himselfe, and left thee the *tenth* onely? And this in truth he doth, when by withholding

holding his blessing of raine,
 the drought maketh thy thirst
 thy haruest to wither away: and
 when thy fruit, and thy vine-
 yard, are struckē with haile, or
 blasted with frost. where now is
 the plēty that thou so couetou-
 sly didst reckon vpon? The *nine*
 parts are taken frō thee, because
 thou wouldst not giue him the
tenth. That remains onely, that
 thou refusest to giue, though the
 Lord required it. For this is a
 most iust course, that the Lord *16. Que. 1.*
 holdeth, *If thou wilt not giue him ca. decime.*
the tēth, he wilt turn thee to the tēth.
 For it is writtē, saith the Lord,
in somuch as the tith of your ground,
the first fruits of your Land, are
with you: I haue seene it, but you
thought to decciue me: haucke
and spoile shall be in your treasury,

and in your houses. Thus thou shalt giue that to the vnmerciful Souldier, which thou wouldest not giue to the Priest.

The Lord Almighty also saith : *Turne vnto mee, that I*
Mal. 3. 10. *may open vnto you the windowes*
of heauen, and that I may poure
downe my b'lessing vpon you; and
I will not destroy the fruit of your
land, neither shall the vines of your
field, [or the trees of your or-
chards] wither away, [or be bla-
sted] and all nations shall say, that
you are a blessed people. God is
 alwaies ready to giue his bles-
 sings. But the peruerfenesse of
 man alwaies hindreth him. For
 he would haue God giue him
 all things, and he wil offer vnto
 God nothing, of that where-
 of himselfe seemeth to bee
 the

the owner. * What if God
 should say? The man that I
 made, is mine; the ground that
 thou tillest, is mine; the seed that
 thou sowest, is mine; the cattel
 that thou wearicst in thy work
 are mine; the showres, the rain,
 and the gentle winds are mine;
 the heat of the Sunne, is mine:
 and since all the Elements
 whereby thou liuest, are mine;
 thou that lendest onely thy
 hand, deseruest onely the *tithe*,
 or *tenth* part. Yet because Al-
 mighty God doth mercifully
 feed vs, he bestoweth vpon the
 labourer a most liberall reward
 for his paines, and reseruing
 onely the *tenth* part vnto him-
 self, hath forgiuen vs al the rest.
*Ingratefull and perfidious de-
 ceiner,* I speake to thee in the
 word

* This
 p'ace is ci-
 ted as out
 of *Augustin*
Cont. Tribu-
riens. ca 12
An. 895. &
before that
in Concl.
Mogunt.
pri. c. 8. An.
 874.

word of the Lord. Behold the
yeere is now ended: giue vnto
the Lord (that giueth the raine)
his reward. Redeeme thy selfe,
O man, whilest thou liuest. Re-
deeme thou thy selfe whilest
thou maiest. Redeeme thy
selfe (I say) whilest thou hast
wherewith in thy hands. Re-
deeme thy selfe, lest if greedy
death preuent thee, thou then
lose both life and reward to-
gether. Thou hast no reason,
to commit this matter ouer to
thy wife, who happily wil haue
another husband. Neither
hast thou (O woman) any rea-
son to leave this to thy hus-
band, for his minde is on ano-
ther wife. It is in vaine, to tie
thy parents, or thy kinsfolke,
to haue care heereof: no man
after

after thy death, surely shall re-
deeme thee, because in thy life,
thou wouldest not redeeme
thy selfe. Now then, cast the
burden of *couetousnesse* from
thy shoulders, despise that cru-
ell *Lady*, who pressing thee
downe with her intollerable
yoake, suffereth thee not to re-
ceiue the yoake of Christ. For
as the yoake of *couetousnesse*,
presseth men downe vnto hell,
so the yoake of Christ raiseth
men vp vnto heauen. For *tithes*
are required as a debt, and hee
that will not giue them, inua-
deth an other mans goodes.
And let him looke to it, for
how many men soeuer die for
hunger in the place where hee
liueth (not paying his *tithes*) of
the murthering of so many
men

16. Qu. 1.
ca. decima.

men shall he appeare guilty before the Tribunall seat of the eternall Iudge, because he kept that backe to his owne vse, that was committed to him by the Lord, for the *Poore*.

He therefore that either desireth to gain a reward, or to ^{*Promereri} obtaine a remission of his sins, let him pay his *tithe*, & be carefull to giue almes to the *poore*, out of the other nine parts: but so notwithstanding, that whatsoever remaineth ouer and aboue moderate diet, and conuenient apparell, bee not bestowed in riot and carnall pleasure, but laid vp in the treasury of heauen, by way of *Almes* to the *poore*. For whatsoever God hath giuen vs. more then wee haue neede of, he hath not giuen

uen it vnto vs particularly, but
hath committed it ouer vnto vs
to bee distributed vnto others:
which if wee dispose not accor-
dingly, we spoile and rob them
thereof. Thus far S. Augustine.

ERasmus in a general censure
of these Sermons de Tem-
pore, noteth many of them not to
be Saint Augustines: so also doth
Master Perkins, and diuers o-
ther learned men, who hauing ex-
amined them all particularly, and
with great aduisement, reiecting
those that appeared to be adulterat
or suspected, admit this notwith-
standing as vndoubted. And al-
though Bellarmine seemeth to
make a little question of it, yet hee
concludeth it to be, without doubt,
an excellent worke: and either
Saint

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Forte non
est Augusti-
ni iste sermo
tam ex in-
signis est si-
ne dubio &
amiqui ali-
quius Pa-
tr. is nam
inde tanqua-
m ex Augu-
stino multa
sunt adscrip-
ta in Decret.
16. q. 1.
Bellarm.
lib. de Cle-
ricis cap.
23.

in y. l. of
Edw: Confes:
ca: 8. & the
apibz. And
before y

Saint Augustines owne, or some
other ancient Fathers. But hee
saith, that many things are cited
out of it as out of Augustine in
Decret. 16. q. 1. And to cleare
the matter further, I finde that
some parts hereof are alleaged
vnder the name of *Augustine* in
Concil. Triburiens. (which was in
the yeere of our Lord 895.)
cap. 13. And twenty yeere be-
fore that also, in *Concil. Mogun-*
tin. 1. cap. 8. So that Antiquitie
it selfe, and diuers Councils ac-
cept it for *Augustines*.

I will not recite a great dis-
course to the effect of this Ser-
mon amongst the works of *Au-*
gustine in the Treatise *De recti-*
tudine Christiane religionis; be-
cause *Erasmus* iudgeth that
Treatise not to be *Augustines*.

Yet

Yet seemeth it likewise to
be some excellent mans, and
of great antiquity. But if thou
wouldst heare more what Au-
gustine saith vnto thee of this
matter, take this for a farewell;

*Maiores nostri ideo, copijs omni-
bus abundabant, quia Deo deci-
mus dabāt; et Casari censum red-
debant: modo autem quia desces-
sit deuotio Dei, accessit indictio
fisci. Nolumus partiri cum Deo
decimas, modo autem totum
tollitur. Hoc tollit fiscus,
quod non accipit*

Honil. 48.
ex lib. 50.
Ham. tom.
10.

*Christus, Dabis impio
militi q. non vis dare sacerdoti. v: ap. Gual:
Cambrenf: huc in H 2 elysus eius temporis
principibus verificata. fo: 823 l. 25.*

I prepared aqueduct works but
in first sent forth the keffle on
bridge in the first boone yet
the other half the new bridge
when it is first opening
the water out & in motion
and fast at y^e first opening
at y^e time was y^e ramp, nine
in diameter in fifteen & seven